Preserve

App. F. IX-4

1927-28
(Legis)

File No. 44-17

Serial Nos. 1-16

Previous References
ml 280-14,1/2
ml-66-15,3-6.

Later References

General and Revenue Secretariat.

Serial Nos. 16.

Part B for Jany 1929

SUBJECT

Amendment of the Municipal (Regn VII of 1926)
(Regn II of 1926)

Filed

B.I. Spencer
1/2/29

1231 p. 25

(For Disposal at a Meeting)

No C 439

.....19-20.

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.
(Clause ii of the schedule)

Amendment of the Mysore Municipal Regulation.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

C S Balasundaram
Chief Secretary to Government.

.....14th February ...19.20.

Extraordinary Member of Council.

S 300-16. 16-2-1920.

First Member of Council. C883 Rec 17.2.20 WM

Second Member of Council. Seen.

3378/17/2/20

Third Member of Council. 17/2/20

12/28/2/20

G. R. S. III—1] 191 ?

GENERAL AND REVENUE SECRETARIAT.

(Legis)

NOTES.

File No: 44-17

FILE HEADING.

Amendment of the Mysore Municipal Regulation, 1908

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

WD 1232—GPB—20,000—18-11-15

G.R.S. III–3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

J Mis 1464-17

Extract from orders of the II member on Ml. 237-1910 re amendment of the Mysore Ml. Reg. so as to compel owners of vacant building site to build thereon.

A tabular statement is in some file or other re L.S.G. scheme showing all the mis. amendments required. These are

(1) suggested by the L.S.G. conference or

(2) by Ml. Council

They may all be disposed of in one Bill ~~the~~

2. A Committee may be appointed to consider all the proposals. consisting of

2 Presidents of the City Ml Councils with Mr K.P. Puttannachetty as chairman

2 Deputy Commissioners

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

3 N

G.R.S. III–3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

---

3 non-Officials versed in Municipal matters

Asstt A.R.B.

7/4

3. Subd. The necessary ~~consolidated~~ Bills are being drafted. After completion a final consolidated Bill will be put up in the meantime

15/4/18

While the extract is subd. as ordered for taking necessary action for the constitution of a committee.

15/4/18

4. Please put up the tabular statement required

16/4

Subd. with the statement Marked from Br. IV (L.S.G.)

17/4/18

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Jan 1464

G.R.S. III–3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

6: The Second Member has suggested that a committee consisting of the President of the two city Municipalities 2 Deputy Commissioners and 3 non-official members versed in Municipal matters may be constituted to consider the various amendments proposed to the Municipal Regulation and submit their recommendations for the consideration of Government. A draft Rule is also submitted for consideration. The non-official members will have to be nominated, if approved, one from each of the city Municipal Councils one from Shemoga may be nominated. 2 Deputy Commissioners also have to be nominated. Submitted for orders of the Dewan

Sd
18/4

Chief Secretary)

7 Among the Commissioners selection may be made from among the following officers – 1. Mr Matthan
2. Mr Narasimhaiyengar
3. Mr A. Subramania Iyer
4. Mr C. Venkatarao.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G.R.S. III–3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Perhaps the first two may be suitable

S. Among non officials the following names maybe considered.

- Mr K Venkatasubiah (Nanjangud)
- Mr Narayanaswamichetty (Chikballapur)
- Mr Vasudeva Rao (Chikmagalur)
- Mr B Narasinga Rao (Seringapatam)
- Mr Basavarya (Bangalore)

2nd number
Dewan

27/4/18

158.
27.4.18. 9. Draft revised.

28. 4

10.
Subd. with a typed copy of the draft.
30/4/18 KK

11. Submitted for Dewan's approval
30/4

Chief Secretary

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

5677
1/5/18 12. Dewan's approval. It is proposed that the gentlemen named will be invited before the orders issue.
4.5.18

GRSM. 50.459.

30/4/18

Assistant to
13. Please consult the Secretaries concerned & put up
4/5

14. Draft
4/5

Jus 1464
J 2636

G.R.S. III–3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Cresi 44-17

Sub H
9/5

15th Subd. with two drafts

9/5/18

16. Issue

9/5

se no C15

To Sri. S. P. Pattanachetty

no J4484, 4th May 1918

Requests him to inform to Govt. if he is willing to serve on the committee as chairman

se no C25

To

Sri S. Srikantaswara Iyer

Sri S. Venkatasamaiya
Nanjangud

Sri Narayanaswami Chetty
Chittaldrug

no J4485, 4486, 4487

Dated 4-5-1918

Requests them to inform to Govt. if they are willing ~~to~~ serve on the committee as members

J 2636
Sl. 3

Do. dated 9/5/18
from the President City Municipal Council, Mysore.
Informs that he would serve on the committee.
Submd. The replies from others will be awaited. The bill

N.B.—*Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.*

G. R. S. III-2]

General and Revenue Secretariat.

Legis File No. 44 of 1917.

Serial No.	
	are being consolidated and the consolidated Bill will be submitted shortly CH 11/5/18 18. Please do so as the G.O. has to issue early KS 10/5
4	Letter dated 9th May 1918 From Mr K. P. Puttanna chetty Informs that he would be glad to serve on the committee
5	Letter dated 8th May 1918 From Mr Narayanaswamia chetty, Chikballapur Informs that he would be glad to serve on the committee
6	Letter dated 9th May 1918 From Mr K. Venkatanarasaiya, Nanjangud ——— to ——— 19. Subd: All the non-official gentlemen proposed for the committee have signified their consent to serve on the committee. A copy of the consolidated Bill together with the statement of objects and reasons

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat.

Legis File No. 44 of 1917

Serial No.	
	is put up. The provisions regarding town-planning Act for Bangalore and Mysore are not included in the Bill as they are fit to ~~be form~~ go into a separate Bill by themselves.
	20. Please type revise &
	21/5/18
	25/5
7	No J 4871-77 dated 30/5/18
	From Rajasabhebhushana Dewan Bahadur Mr K.P. Puttanna chetty C.I.E.,
	Rajasabhebhushana Dewan Bahadur
	Mr C. Srikanteswara Aiyar B.A., B.L.,
	Mr M. Matthan Esq B.A.
	B. Ramaswamiya B.A., B.L.,
	K. Venkatesamaiya
	C. Narayanaswami chetty
	B.V. Kesava Iyengar B.A. (Secretary
	~~Informs that~~ Appoints a committee consisting of the above with Mr K.P. Puttanna chetty as chairman
8	No 369 dated 15th June 1918
	~~To the Chief Secretary~~
	From Mr K.P. Puttanna chetty
	Enquires if the committee may co-opt a few additional members

NOTE—Contn. sheet.

g 2965-17

G. R. S. III-2]

General and Revenue Secretariat. | Legn File No. 44 of 191).

Serial No. 21

Subn. The present orders do not allow the Committee to co-opt additional members & as this seems to be a necessary power a draft G.O. giving this power is put up. It is also a point for orders whether the Chairman alone or the Committee would have to appoint these additional members.

22/6/18

22/6/18

Chief Secy

22/6/18

Draft may be approved

164 25.6.18

2nd member

23 Govt. approved

Reel 26.6.18

24 Issue

27/6/18

Secy. 27/6

CM 26/6/18

4/25/6

Secy.

Has been taken for reference.

Secy A again

27/9

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Legis File No. 44 of 1917.

Serial No.	
9	From, The Secy to the Special Committee for Considering the Draft Municipal Regn No. S. C. & D. 5-10-18 Forwards the Report of the Committee that met on the 12th July 1918 to consider certain further amendments to the Mysore Municipal Regn. Submd. for kind orders 25) The papers relate to the amendments to the Municipal M.D.R. 9.11.18. Regn. Submitted for favour of perusal. If approved, Draft Bill in the lines proposed by the Committee with Statement of Objects & Means will be submd for consideration in Council. 9/11 108. 9.11.18 Secd Member) 26) Kindly prepare a draft Bill for my Scrutiny with marginal notes 10.11 (Rep T) Draft prepared on the lines suggested by the Special Committee is herewith submitted. M.V.R. 13.1.19 15 Temp. Member 15-1-19

...ntd. Contn. sheet.

W. A. 1769—GPE—60,000—28-3-18—S.

2965/5147

11

General and Revenue Secretariat. | Legs File No. 44 of 1917.

Serial No.

6/17.1.19

28) I have gone over the Bill & made a few verbal changes in pencil. The administrative dept. has to scrutinise the contents of the Bill & decide how far the amendments suggested (some of which are perhaps a little too drastic e.g. Sec. 71-A.) are acceptable, or what further additions are necessary. The Member then in charge of this Dept. wished to scrutinise the Bill which may accdy be sent to the present Member for that purpose.

28/1/19

Dm

29) Subd

Dm 29

Dm 6/2

Temp[y] Member)

2947/7.2.19

A tabular statement showing the various proposals under each head together with references to the corresponding provisions of the Madras & Bombay Acts may be put up.

17/2/19

Dm

4055/11.4.19

3)

Subd with a tabular Statement

Dm 12/3

Apr 5/3

33) H St: with reasons for every amendment as assigned by the Sub Committee is Subd as ordered.

Dm

Temp[y] Member

Dm

No Suppl Business

Dm 12/3

NOTE—Contn sheet.

W D A 1789—GPB—60,000—20-8-19—S.

G. R. S. III-2]

General and Revenue Secretariat.

Legis File No. 44 of 1917.

Serial No.

33) As remarked by the Hon. Member,

The provisions for the resumption of vacant building sites, as proposed in the new Section 91A (1) are too drastic. Provision should be made for a reasonable extension of the time originally fixed for the construction of a building so that owners of sites having a valid excuse for not building houses within the prescribed period may not be affected. Resumption proceedings should not be resorted to except after the expiry of such extension of time.

34) According to the section as now drafted the resumption is to be reported to when the time prescribed by the bye laws for "completing the construction of a building" is exceeded. This will give rise to a conflict of views as to exact meaning and scope of the phrase "completing the construction". For instance, the residential portion of a house may be complete but not the stables or outhouses or the house may be fit for residential purposes but the plastering and decorative part of the work may remain unfinished. Can the Municipality take steps to resume the land in such cases? I would revise the opening words of the Sections as follows:-

"Where the term prescribed ~~by any bye-law~~ or extended, as the case may be, under any bye-laws framed by a Municipal Council in this behalf for the construction of a building on a vacant land

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-18—S.

Serial No.

has elapsed and no substantial progress has been made in the construction of the building according to the approved plan" &c.

35) Section 137 A. The power to cancel factory licenses proposed in sub section (3) to be given to Municipal President is of a summary character and being too wide may create great hardship if abused.

36) No provision exists at present for compelling owners of shops and mandies to construct new rat-proof buildings or make suitable alterations to the existing shop buildings to render them rat proof. Necessary provision for this purpose should be made in the Regulation.

37) Section 48 of the Local Boards and Village Panchayet Regulation provides for the formation Village Panchayets in alienated villages so as not to affect the revenue rights of the holders of such villages. A similar provision may be made in the Municipal Regulation for the constitution of such areas into Municipalities. It is doubtful now whether the Govt. can introduce Municipal Administration into Jaghirs or other important alienated villages without the consent of the Jaghirdar or Inamdar. There is a non-regulation Municipality in Sringeri but not in Yelandur. The Agent of the Sringeri Mutt is not willing to reconstitute the Municipality under the present Municipal Regulation unless certain concessions are shown to him. ~~One of~~

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat

Legs File No. 414 of 1917.

Serial No.

One of these is that he should be independent of the control or interference of the ~~Government~~ the Dy. Comm and should have the right of direct approach to the Government. The request, which seems to me, is not unreasonable; but there is no provision in the Municipal Regulation for any such concessions being shown to him. I would therefore introduce a new section on the lines of section 48 of the Village Panchayet Regulation and reserve the power to the Government to exempt any such Municipalities from the operation of sections 173, 174 and 175 of the Municipal Regulation.

38) Certain points affecting the constitution and functions of Municipalities were discussed at the recent session of the Representative Assembly and they may also be considered in this connection

39) It was proposed that the Presidents and Vice Presidents of City Municipalities might be elected by the rate payers instead of by the Municipal Councillors. The procedure suggested is somewhat novel and it does not appear, to my knowledge, to be in vogue anywhere in British India. These functionaries where they are elected are indirectl the nominees of the rate payers and the need for a direct election of them by the rate-payers is not apparent. There is at least no urgency for this change.

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-18—S.

Serial No.

(40) It was also suggested that persons whose Municipal taxes are in arrears should be disqualified for voting or standing as candidates at Municipal elections. The existing rules provide, only so far as persons claiming the privilege of voting on the ground of their paying the prescribe minimum tax are concerned, that they cannot be enrolled on the list of voters unless they have paid for a period of not less than 6 months next preceding the publication of the list of voters the prescribed amount of Municipal taxes other th octroi or toll. The proposal of the Representat Assembly Members is to extend this disqualification to all persons, otherwise entitled to vote, against whom Municipal tax is outstanding. The proposal even if given effect to will not produce the desired effect and may on the other hand affect the popularity of Municipal Administration

(41) Another proposition that was discussed in the Representative Assembly was the formation of Division and Mohalla Committees. Such a decentralization of Municipal powers and duties, especially in large cities like Mysore and Bangalore, is very desirable. The Municipal Acts of Bengal and the United Provinces provide for the constitution of such committees. Necessary provision in this behalf may be made in the Mysore

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-18—S.

G. R. S. III-2]

General and Revenue Secretariat. | Legis File No. 44 of 1917.

Serial No.

Regulation on the lines of section 50 to 55 of the Bengal Municipal Act. If necessary the Honorary Presidents of the two Municipalities may be consulted.

42) It is now recognised to be one of the importa duties of Municipalities to make proper arrange- ments for housing the poor. It is not suffi to build or manage Musafirkhanas or chattrams The Municipalities should see that the poor are provided with sanitary dwellings. This can b done by lending money to the poor or by consti ing suitable houses which may be rented or gi over under the hire-purchase system. But is no provision for this in the present Muni Regulation. An enabling provision in this b in the Municipal Regulation is necessary.

Mr. Hamilton
15/5/17

Marro puts up draft letter to Hon. Presidents for Consideration
D.M. 16/5.

Draft Submitted
ASR 1910
17/5/17
D.M. 23/5.

10. To the Presidents of the Bangalore Mysore City Municipal Councils
No. L 26320-1 Dy 23-5-17
Requests they favored with their opinion in the matter of amending the Mysore Municipal Regn on the lines of the Bengal Municipal Act

NOTE—Contn. sheet.

Resubmitted for orders.
ASR 23/5

Served for orders
D.M. 26/5

I Member

47) Seen the instructions of the Member in charge of the Legl Department be noted as regards the drafting of the Bill, as already stated in my note above.

48) concurred
7/6/17
D.M. 7/6

WD A 1789—GPB—60,000—20-3-18—SD

7

General and Revenue Secretariat. | Legs. File No. 44 of 191).

Serial No.

49) Mr. Hon'ble Presidents of the Municipalities of Mysore & Bangalore have been addressed as per orders of the III Member in para 41 of the notes & their opinions have not yet been received

50) According to the views expressed by the III Member (Paras 33 to 42) the 91A draft Bill shall have to be revised & certain additions made to the Bill

It is for point for orders whether the revision & additions have to be made at this stage or after trial orders.

51) The file may perhaps be submitted with Memo for favour of orders.

D. M. 14/1

Chiefs

52 Please put necessary draft amending suits. Cases should be properly worked up before they are submitted for orders.

Put up draft amendments

Sunday D. M. 18/1

GBS 17/7/19

11 From The President, Lieut-Col. Naylor 20 9 15-8-19

states that the Council are of opinion that Mahalla Committees are unnecessary

NOTE—Contra. sheet.

WD A 1789—GPB—60,000—20-3-19—S/

General and Revenue Secretariat. | Legs File No. 44 of 1917.

Serial No.

54) Draft amendments in regard to the points suggested in the foregoing minute of the Second Member of Council are incorporated in appropriate places in the draft Bill as noted below:-

56) clause 6 of the Bill (Sec 91-A). The alteration of the preamble to this Section suggested in para 34, supra, is transcribed in the margin of the Bill

57) clause 7 of the Bill (Sec. 137-A). With reference to the remark made by the Member, in para 35 that the provision contained in Sub Sec. (3) to cancel factory licenses is drastic, kind reference is invited to page 5 of the report of the Special Committee, who while accepting the principle involved in the proposed restriction have suggested the revision of the Section in accordance with the amendment proposed by the Bangalore City Municipal Council. According to the latter proposal, copy of which is attached to the report, only sub-sections (1) & (2) of the new section have to be retained in the Bill. Sub-sections (3) & (4) are therefore struck out. Subject to approval.

Kind reference is at the same time invited to page 7 of the Office notes in File 132-17 put up (D)

58) Regarding the proposal to make provision for compelling owners of shops and

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | Legis File No. 45 1917.

Serial No.

and mandies to construct new rat-proof buildings &c (vide para 36 above), the requisite provision may perhaps be made by empowering the Municipal Council to make byelaws for the purpose under Section 48 of the Regulation. The addition of a new paragraph (rr) to Sub-section (1) of the Section is suggested for consideration; Please see addition to Clause 4 of the Bill

59) For the formation of municipalities in alienated villages suggested in para 37, a proviso may perhaps be added to Sec 4 (1) on the lines of the proviso to Sec 48 of the L.B & V.P. Regn & the words 'and the Srirangam Municipal Council' added after 'City Municipal Councils' in Sec 180-A of the Regulation.

60) Division and Mohalla Committees (Para 41) Opinions having been called for from the Presidents of the Bangalore and Mysore city Municipal Councils in the matter, ~~have not yet been received~~ from the President, Mysore City Municipal Council an intermediate reply has been received to the effect that the question will be placed before the ~~respective~~ Councils and their resolutions sent upto last early. Drafting of Sections on the lines of Sections 50 to 55 of the Bengal Dt Municipalities Act ~~as regards paragraphs~~ is accordingly deferred pending the final reply of the President, Bangalore City Municipal Council, to whom a remr has been sent

the Municipal Council have carefully considered the question and are of opinion that under existing conditions such Committees are unnecessary for the present.

Intermediate reply has been read from the Bangalore President stating that

A Reply has since been received that the Committees are not required.

NOTE—Contn. sheet.

General and Revenue Secretariat. | Legs File No. 44 of 1917

Serial No.

61) Arrangements for housing the poor (Para 4

The necessary provision for this purpose may, it seems, be made by adding a clause under Section 56 of the Regulation re the discretionary powers of the Municipal Council and also under section 48 relating to the framing of bye laws. For draft amendments, please see under clause 4 on page 9 and after Section of the Bill As regards the raising of funds, if necessary, for the work, it seems that the provision contained in Section 53 A will answer the purpose.

Subd with reference to paras 47 & 53.

ASR. 7/9

62 I believe a reply has been rec^d from the^ President, Bangalore Mfg.

Please verify

D. M. 26/9

12 From

The President, City Mul. Cl. Bangalore

No 77 dy 15-9-19.

States that Panel & Mohalla committees are not required

Resubmitted for orders

EG 27/9 ASR 27/9

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-18—S.

G. R. S. III-2]

General and Revenue Secretariat. | Legs File No. 44 of 191)

Serial No.

63 Sent with Draft amendments as ordered by the II Members.

As regards the formation of Municipalities in alienated villages, the word "any local area" in S. 4 of the Municipal Regn, seem to be comprehensive enough to include the constitution of such Municipalities since the Regulation extends to the whole Province under S. 1(2). A draft of a proviso to S. 4 is put up as regards the revenue rights of Inamdars with regard to the question of concession to the Swamy Jatrai, S. 180 A of the Municipal Regn may perhaps be suitably amended. A draft amendment is put up for consideration

Cl. (9) of the Bill

64) S. 165 A. regarding composition of offences.

A slight alteration in the word ing of this section seems to be necessary & has been suggested in the margin for consideration

Cl: 10 of the Bill -

65) Since the Special Committee recommend that Cl. (3) of S. 82 of the Municipal Regn shall be retained

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-19—S.

G. R. S. III-2]

5069

General and Revenue Secretariat.

Legs File No. 44 of 1917.

Serial No.

It seems to follow that Schedule V, which relates to the form of the notice of demand, etc: also be retained Hence, cl: 10 has to be omitted

(66) Cl: 11 about amendment of S. 544 of the Cr. Pro: code.

This clause has to be excluded from the present Bill. No amendment has been accepted by the Committee & it has to be made by means of a separate Bill to amend the Cr. Pro: code.

(67) As regards the formation of Town & Mohalla Committees, the Hon'ble Presidents of Mysore & Bangalore have stated that they are unnecessary in their opinion. They have consulted the respective Mb: Councils also & the matter, and the President, Bangalore City Municipality, states that no such Committees are said to exist in Bombay & Calcutta.

~~Hence the question of Committees in Bangalore & Bombay~~

(68) deferred Bill is to provide for orders this question may not be deferred view of the opinions expressed by both Hon'ble Presidents. Submitted for orders

D

If this appls, a consolidated typed Bill including all the amendments of the Mb Regns will be put up.

D

NOTE—Contn. sheet.

2599
25-11-19

II Member

WD A 1789—GPB—60,000—20-3-18—S. 4

5869

G. R. S. III-2]

General and Revenue Secretariat.

Legs File No. 44 of 1917.

Serial No.

70) Whereas his municipal commissioners have submitted a typed copy of his draft bill & memorandum of his amendments proposed in his bill & his replies in connection with his ~~bill~~ recommendations & comments thereon & whereas another amendment proposed to be made with regard to double voting has also been included—

[illegible]
8/12/19

71) Revised draft approved.

[illegible]

72) Bill may be presented to Council & this document appears

[illegible]
2/2/20

Dewan

CSJ
4/2/20
D.M. 4/2

73) [illegible]
9.2.20

74) Circulate.

CS
11/2/20

CSJ
10/2
D.M. 10/2

NOTE—Contn. sheet.

DEWAN'S OFFICE.
Recd. on FEB 5 1920
Reg. No. 5328

C 439

Extract from the Proceedings of the 521st *Meeting of the Council of His Highness the Maharaja, held at Bangalore on the* 11th & 12th March 1920.

9. Subject. - Clause ii of the schedule.

Amendment of the Mysore Municipal Regulation.

Opinion of the Council.

(25) The draft bill - subject to the changes made in Council - may be approved.

(Signed) M. Kantaraj Urs,
Dewan of Mysore

"EXTRACT'

C S Rangaswamy Ji

Chief Secretary to Government.

WD 1148—GPB—1,000—23-12-18

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat.

C.439 5069

Zeph File No. 44 of 1917-18

Serial No.

To the Asst Secretary, Branch III (Proj 4)

for kindly submitting the file to the Hon'ble Member of Council with a draft Final Note.

Copy
13/3

96) Mano put up on 9-7-4. Co-ordy

D. M.
10/3

97) Embd with a draft Final note & Statement of Objects & Reasons as also put up, for approval & other orders

SG
21/3
Appr
24/3

98) Mano pb the Draft Bill & the Sts of O & R typed

D. M.
27/3

99) Typed copies are Sealed

SG
31/3
Appr
31/3

100) Subd Circ 9-7-4 & Sts of O & R.

D. M.
1/4

II Member

6333-43

3-4-1920.

DEWAN'S OFFICE.
Recd. on APR 7 1920
Reg. No. 6867
Note Contn. sheet.

81) D. F. approved. Sd. Draft Secn.

Recd
5-4-20

DS N. Sutton.

Dewan
5/4/20.

SG
6/4/20

D. M.
6/4

Submitted to His Highness.

I submit herewith a Final Note by the...Second... Member of Council on the subject of...the..amendment... of...the..Mysore..Municipal..Regulation,.....

.....

for His Highness' gracious approval.

9th April 1920

Dewan.

Final Note by the Second Member of Council.

Subject:—

Amendment of the Mysore Municipal Regulation.

The Mysore Municipal Regulation. 1906. as it stands at present, has been found from experience to be defective and several suggestions have also been received from the various Municipal Councils. A draft Bill embodying those suggestions was prepared, and a special Committee also appointed in May 1918, to consider the draft Bill and to report upon the same.

2. The Bill and the suggestions of the Committee were scrutinized and the revised Bill was considered in Council. The Members of Council are of opinion that the draft Bill, subject to the changes made in Council, may be approved.

3. The opinion of the Council may be graciously approved and sanction accorded to place the Bill before the Legislative Council in due course.

P. Rajkavishwar Rao
5.4.20
MEMBER OF COUNCIL.

5th April 1920.

STATEMENT OF CASES SUBMITTED FOR THE ORDERS OF HIS HIGHNESS THE MAHARAJA DURING THE TOUR OUTSIDE THE STATE IN APRIL 1920

Serial No.	Subject	Recommendation of ~~Council, or~~ Member of Government in charge, ~~as the case may be~~	Dewan's recommendation	Orders of His Highness	Orders regarding submission of files (*vide* foot-note)
1030	Amendment of the Mysore Municipal Regulation of 1906.	The draft Bill subject to the changes made in Council may be approved and sanction accorded to place the Bill before the Legislative Council in due course.	The recommendations of the Second Member may be graciously approved.	Rec 7.5.20 ~~Achiley~~ well	C. JM Achbal 26.4.20

439

NOTE.—The letter a, b or c may kindly be inserted by the Private Secretary to His Highness in the last column to indicate whether—

File may be submitted at once ... ... a
File may be submitted after His Highness' return ... ... b
File may not be submitted at all c

WD 1212—GPB —500—7-1-19

5669

C 439

G. R. S. III-2]

General and Revenue Secretariat. | Leg.20 File No. of 19

Serial No.

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to the Members of Council for perusal of

His Highness' orders $\frac{\text{before}}{\text{after}}$ issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

C S Balasundaram 15

Chief Secretary to Govt. 1915

Through the Secretary to Government,

.....Department.

312/1915

FIRST MEMBER OF COUNCIL 14/5

6966-174 11.5.20

SECOND MEMBER OF COUNCIL 13.5.20

6321 10-5-20

THIRD MEMBER OF COUNCIL. 11/5

NOTE—Contn. sheet.

Legs 15/5

14/5 11/5 15/5

G. R. S. III-2]

General and Revenue Secretariat.

Legis File No. 44 of 1917.

Serial No.	
13	To The H. A. Resident in Mysore. No. Pol. 12 dt 3rd July 1920. Forwards a copy of the Bill to amend the Municipal Regn 1906 together with a Statement of objects & reasons, which fully explains the scope of the Bill & informs that the Bill will be placed before the Legislative Council in due course.
14	From The H. A. Resident. No 5114 dt 19.7.20 States that there is no prima facie objection to place the bills before the Legislative Council and that in matter requires a reference to the Govt of India (1) Submd. for perusal. If approved the Bill will be included in the Agenda for the next meeting of the Legislative Council (1) Yes 86 vide Pol 1917 Legs 4/18

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-18—S.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

DEWAN'S OFFICE.
Recd. on NOV 12 1920
Reg. No. 3605

9) Submitted with the form for formal sanction of the Dewan for introduction the bill to amend the Municipal Regn. The Bill to included in the agenda for the meeting on the 22nd inst.

8/11

9½) Signed for favour of signature

D. M. 8?

2687-75.
8.11.20.

II Member

9½) Signed

10.11.20

9½) Submd for favour of Signature

Dewan

Signed by the Dewan.
13.11.20.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G. R. S. III-2

III

General and Revenue Secretariat. | Legis File No. 46 of 1917.

Serial No.

(1) Leave was granted for the introduction of the Bill at the meeting of the Council on the 22nd inst.

Rules in a Draft Notice for publishing the Bill &c

23/11 (2) Issues.
A.D.C. 23/11

D.M. 24/11

Issued 223 @ 26/11/17

(3) Rules At the meeting of the Legis. Council on the 29th inst. The Bill was to be read & referred to a Select Committee

The members of the Select Committee have to be chosen

For orders

&c 17/3 (4) The following names are suggested for consideration :—

II Member

Govt Advocate

Engineer

Mr. M. Ramachendra Rao

" M. C. Ranga Iyengar

" M. Subbiah

D.M.

NOTE—Contra sheet.

II Member P.J.O.

WD A 1789—GPB—60,000—20-3-18—S. 18/3

20435

. R. S. III-21

General and Revenue Secretariat. | File No. | of 19

ANT 20435

Serial No.

4759-62
21.3.2

(9) Secn.

Secn
22.3.24

D.M. 22/3

(10) Read. At the meeting of the Legislative council on the 29th march 1922, the Bill was read & referred to a select committee. The date for the meeting of the select committee has now to be fixed for orders.

Le 1/3/23

Sec
30/3
Asst 30/3

(11) For favour of convenient date

D.M. 31/3

5012-2
1.4.2

2nd Member

(12) Some date in the second half of next month - may - may be fixed. the day being preferably a Monday or a Saturday & the hour 3.p.m.

Secn
2.4.24.

(13) Please suggest two suitable dates

D.M. 2/4

NOTE—Contn. sheet.

20435

G. R. S. III-2]

General and Revenue Secretariat. | File No. | of 19

Serial No.

(1) Secret
Monday the 16th May to be suggested for consideration. Legislation is to meet on the 2nd June & for the Bill the S.C. report to be taken into consideration, Copies of the S.C. report will have to be sent to the members before the 6th June

(2) If appd, Monday the 16th of May 1921 (3 p.m.) will be fixed as the date of the S.C. meeting

D.M.
7/4

5155-166
8-4-21.

(3) 2nd Member
If not too late I also prefer Monday 23rd May. In case it will be late. However Monday 16th May may be fixed for the S.C. Meeting

11.4.21

Secy

(4) Monday the 23rd May will not be too late. If appd, arrangements will be made to have the meeting on the said date at 3 p.m.

2nd Member R.T.O. D.M. 11/4

NOTE—Contn. sheet.

G. R. S. III-2j

20435

General and Revenue Secretariat. | File No. | of 191

Serial No.

5237-240
12.4.21

(11) 3 p.m. Monday. 23rd May next may be fixed for the meeting of the S. Com.

Rees
13.4.21

(12) Mr. Subbarao action D. 14.4.21

Leave 14/4

(13) Subbarao. with a draft notice to the members.

Sd
14/4.
14/4

(14) I issues to put up this file on 10.5.21
D. 15/4

Issued 542-546. & 20-4-21
L.C.

Issued.

(15) Diwan Bahadur Puttanna chetty was the Chairman of the committee which considered the original draft Bill. It seems therefore desirable that he is also a member of the Select committee to consider the Bill. But his name was not included in the S. C. to which the Bill was referred at the last

NOTE—Contn. sheet.

Serial No.

meeting. He cannot now be a member of the committee unless a motion to that effect is brought again at the next meeting. But that will unnecessarily delay the consideration of the Rule. Mr. Puttanna Chetty may however be invited to be present at the meeting under Rule 43 of the business Rules.

Submitted for orders

15/5

(16) His name was not included in the list as he had made a request that he may not be troubled with S.C. meetings. He has since expressed a desire to be in particular quite willing to serve on the above Committee and if approved he will be requested to attend the Committee meeting under R. 43.

I will also personally request him to be present at the meeting.

D. M. 16/5

2nd Member - Approved - Both Lascelles

This file to be submitted to the Second Member and

Reed
16. 5. 21.

S-597-260

Note-Sheets attached.

G. R. S. III-21

General and Revenue Secretariat. | File No. of 19

Serial No.

(18) Please put up a copy of the Govt. Order today evening

K. P. P. 17/5.

(19) Draft Sealed

17/5

(20) Issued Govt. Order today

Issued 5554 L.C 9.17-5-1924 D. 17/5.

(21) Consequent on the demise of the first member on leave ~~Certain changes have~~ the portfolios have been re-distributed and according to that the Offg. 2nd member is in charge of Local Board. It is a point for orders if the Offg. 2nd member has to take charge of the present Bill.

If so, the constitution of the Select Committee will have to be changed as the present Offg. ~~first~~ 2nd member is not a member of the Select Committee and in that case a motion will have to be made at the next meeting of the Council substituting

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | Legs. File No. 2043 5 of 19

Serial No.

2P Cy

The name of the Offg. 2nd member for that of the Offg. 1st member. A similar motion was made in the case of Civil Bills Ended. for orders. The file was not

Secy to Govt and Offg 2nd Member asked to act in charge of the Bill

17/5 Revised

Offg 1st Member

D.M. 17/5

D.M. 17/5

6096-53

19-5-1921.

I desire the file be submitted to the Second member. This may be done now.

Peel
20.5.21.

D.M. 20/5

2nd Member

I will facilitate the passing of the bill tomorrow if the 2nd and Officiating 1st member continues to be in charge of the bill.

Peel
21/5

Please submit this also

Dewan

Maharaja
21/5

I think it will be convenient if the Offg 1st member who is in charge of the Bill will kindly preside at the meeting of the Legislature.

Peel
21.5.21

1st Member

I have no objection
Peel
21.5.21

D.M. 21/

DEWAN'S OFFICE.
Recd. on MAY 21 1921
No. 7266

NOTE—Contn. sheet

G. R. S. III-2]

20435

General and Revenue Secretariat. File No. of 19

Serial No.

(1946)
Subd. with a draft Report of the Select-Committee after approval it may be circulated to the member in the absence of a specific recommendation to the contrary. The Bill has to be published as amended
SC
24/5/24 SBB 26/5

(2) Please put up two typed copies of the report
D.M. 26

Subd. with 2 typed copies.
The alteration in clause 4 is indicated in a separate Sub-clause 2 it does not seem to be necessary to reproduce the whole section 15 which is a long one
SC
14/6/24

SC
14/6/24
Apm 14/6

Please bring up in person with Cummins manual
D.M.
8/7

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 19

Serial No.

32) I have revised the draft report & made some additions & alterations. Please get it re-typed & put up Committee's meeting to-morrow by 2 p.m.

D. M.
10/8

Please see my note in para 31 S.15/13 in Cl: 12 & verify
D. M.

11/8

Report typed
Secretary
10/11/8.

33) A draft report of the Select Committee is submitted herewith & if approved, it will be circulated among the members. Two copies of the Bill containing corrections made by the members is also put up for favour of reference.

D. M.
11/8

1st Member

34) Approved

Secretary
13.8.24

35) Please get the copies typed & circulate to Members

D. M.
10/8

1058-321
12.8.24

NOTE—Contn. sheet.

G. R. S. III-2

General and Revenue Secretariat.

2435

Kuja File No. 44 of 1927.

Serial No.

(136) Submitted with draft & form

10/8 16/8

(137) Issued 73-6 L.C dy 16-8-27

(138) The report has been received back with approval from Messrs Ramachandra Rao & Doraiswamy Iyer

Sd. with a draft reminder to the other 2 members

8/9/27 8/9/27

(139) Issued

8/9/27

Issued 87-88 L.C dy 9-9-27

The report has not yet been received from Mr. Krishnan. Sd. with a draft reminder.

9/9/27 9/9

(141) Issue.

9.10

Issued 135 L.C dy 9/10/27

NOTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat.

File No. 1021/7 of 19

Serial No.

(12) The S. C. report has been approved by the members subject only to a draft publishing the report with the Bill as amended by them.

A copy of the Bill as amended is also put up.

&c
2/3/22
WD
2/3.

(13) Done.
Cab
13

Issued L.C 309 dated 4.3.22 to the Compiler. Supreme Gazette

Publishes the Select Committee Report on the Bill to amend the Supreme Municipal Reg^n

Published at Page 410 of Part-III of the Gazette dated 24.4.22

(14) Copies have been sent to the Ex. Council (19.6.22)

The Report should be presented to the Council at a subsequent meeting

Cab
19.7.22
KMC
9/7

NOTE—Contn. sheet.

REPLY

(To be written on this margin.)

R.1479 30.8.22

1021 GP

OFFICE OF THE SECOND MEMBER OF COUNCIL.

NOTE

Dated 30th August *19*22

145) At present there are 3 draft Bills for amending the Municipal Regulation before the Legislative Council. Of these, the Bill providing for the appointment of a Municipal Commissioner in place of a Chief Officer fo the City Municipalities and the Bill to provide for the imposition of Education Cess are of an urgent nature. These measures may be carried through the Legislative Council. As regards the other Bill which contains very many important amendments, it ma be withdrawn and a comprehensive Bill consolidating all the Municipal Regulations passed hitherto and drafted on the lines of some of the recent Acts passed in Britis India which are based upon up-to-date principles of Local Self Government be introduced. It is under contemplation, I believ to appoint a Special Duty Officer to examin the working of the Local Self Government Scheme and suggest improvements. He will I think be usefully employed if he is entrusted with this work. If this suggestion is approved, permission may be given to withdraw the amending Bill introduced into the Legislative Council on the 29th March 1921 if the 1st Member who is in charge of the Bill has no objection.

FIRST MEMBER
DEWAN.

8.7.0 30.8.22 30/8

G. R. S. III-2

General and Revenue Secretariat.

File No. 1021/ of 19

Serial No.

1835-350
30.8.22

146) I have no objection. I have recorded my views on the points today in the file relating to the agenda for the next meeting of the Legis. Cl.

Rel
1.9.22

Dewan 1-9-22

147) Agree cur 1.9

4/9/22 cur 4.9

1644
6-9-22

2nd member) Agree
6/9/22

7-9-22 cur 7.9

cur 6.9

...AN'S OFFICE
... 01 SEP 1 1922
... 1504
... with file

NOTE—Contn. sheet.

General and Revenue Secretariat. | File No | of 19

Serial No.

From

The President Mil. el. Bangalore

No 96 Dt 28/29 Th Jan 23.

Requests that the amendment of Mil. Regl. pending in the Legis may be expedited as much inconvenience is felt for want of power to resume vacant lands & power to compound offences (160) Cr. P. C. Both these powers are proposed to be given in the Bill under consideration in this file. The Select Committee Report has been published & has to be forwarded to the Legis. el.

In the meantime the 2nd member suggests that this Bill may be withdrawn & a Consolidating Bill containing all recent amendments in British India may be introduced This has agreed to by the 1st member & Demand

The motion for withdrawal which may at first be made

Vide paras 145

NOTE---Contn. sheet.

Serial No.

in the agenda for the last meeting, was ordered to be omitted (vide linked file)

Submitted for orders

8/6 1/2/23 1/2

(149) The member has also referred to the appointment of a Special Officer to examine the working of the Local Self-Govt Scheme, & when the work of drafting the a Comprehensive ~~Consolidated~~ bill consolidating all the Municipal Regulations may be entrusted. As no such officer has yet been appointed, it is for orders whether action has to be taken to draft a bill or to defer it pending such appointment.

4874 3-2-23

2nd member's — Sig 1/2

(150) Chairman's ~~his~~ own motion ~~his~~ views L.B Customs if any in this subject

Secy 7/2

Legs 7/2

Secy 7/2

(151) Discussed his question in the last meeting of the Council. Then it was submitted proposal that a Special Officer being appointed and then it was Chance of a Consolidated bill being

NOTE---Contn. sheet.

Serial No.

introduced into the legislature Council in the immediate future. The Board has permitted the report & the block two months have passed & the Council when will present till have enacted with. May be included in the agenda for the next meeting Please enclosed. Thank you.

Sd/-
15/3.

6038/15/3

1st member ?

Sd/-
15/3

15/3

Sd/-

Secy

Secy

17.3.23 Sd/- 17/3.

76-38-411
16.3.23

Sd/-
17/3

3894
P

G. R. S. III-21

General and Revenue Secretariat.

Legis. File No. 44 of 1923

Serial No.

15) At the meeting of the Legis. Council on the 16th April 23 the Select Committee's report was presented & accepted by the Council Amendments 1, 2 & 3 brought forward by Mr Abdul Karim were thrown out on the assurance that the wording of Clause 151A will be examined he did not press amendments 4 & 5

The Govt. of India sanction has now to be obtained

Submit with a draft to the Secy

15) Issue
cap 4/5

See 4/5 ans
4/5

15/ to Secy to the Govt
No. pol. 101 & S. 5.23

Forward copies of the Select Committee report & request to obtain the sanction of the Govt of India for passing the Bill into Law

NOTE—Contn. sheet.

G. R. S. III-21

General and Revenue Secretariat.

File No. 3894 of 19

Serial No.

153 Resolved: for orders as regards the changes that is to be made in S. 154A proposed to be added in clause 4 of the Bill. Now experience in regard to the amendments lately brought by Mrs. Abbas Khan

Ele
8/5/03
for 9/5

156) The question was discussed with the member and the Chief Secy. S. 98A as it stands is defective in many ways, and if it has to remain in the Bill, some amendments are necessary. The amendments proposed by Mr Abbas Khan in the Legislative Council were lost; but yet the defects (to be pointed out below) must be rectified before the bill is passed finally.

157) The following are some of the defects:—

(1). The Section is inconsistent with Secs 11 and 12 of the Transfer of Property Regulation. When a property is transferred any conditions attached to the sale, inconsistent with the ~~rights~~ full ownership, &c are void.

NOTE—Contn. sheet.

Serial No.

Power has to be taken under the Regulation to get over this inconsistency. The words 'Notwithstanding anything contained in ~~this Regulation~~ the Transfer of Property Regulation' may have to be added in the beginning of the Section.

(2) 'Building' and 'substantial progress' occurring in the section may have to be defined. Whether an outhouse, a hut or some such structure is enough to keep a case outside the operation of this section is a point for consideration.

(3) The Section is silent about cases where the owner of the site does not choose to apply for a license to build. Some such words as "license is applied for, or", are to be introduced after the word 'no' in line 4.

(4) After resumption, if the municipal Council does not choose to sell the site, or if there are no bidders, or if the bid is only nominal, no remedy provided for the owner. Instead of sale proceeds passing to the owner, a portion, say 3/4 ths the original purchase money, may be paid to the owner

Is it a right decision in all cases? Whether it is desirable in all circumstances?

Serial No.

the remaining one fourth being treated as forfeit. For any structure already on the site, fair value may also be paid. Otherwise the treatment accorded to the owner is inequitable, and he has no remedy.

(4) On resumption, the site is proposed to vest in the municipal Council ~~of~~ free of all encumbrances. except those created before the passing of the Regulation. In later encumbrances, it is difficult to see how, in spite of the Regulation, courts will not award decrees. The cases are not similar to ~~forfeiture~~ forfeitures for revenue dues & revenue sales. Sales in this case are not for any dues. The words "on such resumption ... upto — such owner", may have to be deleted. Further the very object with which the section is introduced is likely to be defeated. The owner, if he is not rich enough, will not be in a position to raise money to construct a building, or even to pay for the site itself.

(5) The first proviso is aimed at bringing sites already sold, within the

Serial No.

operation of this section. whether this is desirable is a point for consideration, & whether any retrospective effect can be given is also open to question.

(5) The next proviso dispenses with notice in certain cases. Instead of this notice may be published in the gazette & some time given thereafter, before taking action.

(6) At the end of the section it is necessary to add an 'Indemnity' clause. Municipal Councils keeping sale proceeds or purchase money bonafide to persons who come in to claim it, after making due enquiry, should not be again made responsible to persons who turn up later with perhaps a better claim.

(7&8) Except clause (3) the rest of the Section is open to objection. It is doubtful whether such a power can be taken under the regulation, and that in an implied manner, for breach of a bye-law. The object can be gained in other ways — by acquiring the site, or raising the tax or selling for non-payment &c.

NOTE—Contn. sheet.

G. R. S. III-21

General and Revenue Secretariat. | File No. of 19 .

Serial No.

If at all any power under this Regulation is necessary, it may be done by making the sale of sites conditional & then to cancel the sale if building is not constructed. A draft is put up to achieve this, if the idea is acceptable. This will not however, affect previous sales of sites

159) If the section is to stand, the following amendments may perhaps be approved:-

1. At the beginning of the section add the words "Notwithstanding anything contained in the T. P. Regulation".

2. In line 4 between the words "no" and "substantial", insert the words "license has been applied for, or"

3. At the end of clause (1), add "If the site is not sold, or the bid is inadequate, the owner shall be entitled to the payment out of the municipal funds of 3/4ths the original purchase-money, together with the ~~market~~ fair value of any structure already put-up."

Also omit the words "or the mortgagee as the case may be", as the sale is

NOTE—Contn. sheet.

Serial No.

necessarily subject to his mortgage, unless he consents to the sale free of encumbrance.

4. I doubt if the first proviso can remain, though the chief object of the Remand lies there. If such power is wanted, it should be, if shall be taken expressly, and not implied as it is that in a proviso. A Section or Sub-Section should be made out of the proviso. Instead of proviso, Substitute the following:—

"Where the vacant land has been alienated by the said Council prior to the passing of this Regn, a period of three years shall be fixed for the Construction or Completion of the building."

5. In the second proviso for the words "the notice ..... with" Substitute, "the notice shall be published in three successive issues of the Gazette".

6. At the end of the Section add an indemnity clause as follows:—

"No Suit or other legal proceeding shall lie against the said Council ~~for any payment~~ in respect of anything, in good faith, done or money paid, in pursuance of ~~this~~ the provisions of this section".

NOTE—Contn. sheet.

Chief Secy

CS 1876

Serial No.

160)

The amending Bill just now has just been received.

There are no doubt some defects — some of a serious nature in the bill — as pointed out in the above notes.

To introduce new amendments of a material character at the last stage is rather open to objection. Two courses are open. Either to ~~pass the bill finally in the~~ drop the bill ~~& pass~~ and bring in another bill later; or pass the bill as it is now at the next meeting and bring in an amendment bill soon afterwards

5014/16/6

Mr Member

Lee 16/6

Carr 16/6

161) ~~The~~ The drafting is very defective and all these defects should have been cured in the Committee Stage. All the amendments proposed cannot be introduced at this third stage. Some of them are such as to change the substantial nature of the Municipal Council & will open up [illegible] the principle of the Act. Atleast the Municipal

NOTE:—Contn. sheet.

Serial No.

will have to be consulted. If any Indian labourers domiciled in a subsidiary possession is it is doubtful whether Indian Legislature can bind such immigrants & municipal Councils.

(162) If there is no hurry to take up this subject at next meeting of Committee this may be submitted at 41st meeting for consideration of this question whether it should be dropped or whether it should not be agreed back when Colonial Conference meets.

Secy

16/6

(163) Secy

18/6

18/6

16/6

Secy. for orders with reference to para 162 supra

187/9.7.23

Sec 7/7/23

1st number)

7/7/23

7/7/23

This case and papers prepared are of substantial nature and cannot be introduced

NOTE—Contn. sheet.

DOMINIONS OFFICE
RECEIVED JUN 18 1923
REGD. No. 7391

12.3 / P 25.

187

Serial No.

at the last Rly. It is not advisable to [illegible]
to proceed knowing as we do that the
the bill is departure in material [illegible]
If the Dewan approves, I shall
write about the bill with the permission
of the Legislative Council and introduce
a fresh bill - (vide rule 34 of the Rules of Business

DEWAN'S OFFICE
Rcvd. on JUL 10 19[illegible]
Reg. No. 233

Dewan)

to Speaker

(1st Member) to

[illegible]

for the

[illegible]

340
11-7-23

Dept
12/7

NOTE—Contn. sheet.

Harmsworth Land Acts
1906 and 1907
Leases amended
give two & year
& leg

Act amended 1913
bill refer to
S. Committee

Please give a
full note
about

Have prepared
video with
fuzzy images
of each new
sector

Give choice
response of
Mustard
Celery Spot
& very old

1231/1925
PB

gulation 1906
was amended by ~~subsequent~~

MI 1925

1. Reg IX of 1911
2. Reg VIII of 1914
3. Reg VIII of 1915
4. Reg III of 1916
5. Reg V of 1918
6. Reg I of 1921
7. Reg V of 1922
8. Reg IV of 1923

It was further proposed to be further amended, ~~in August 1923~~ vide Bill attached, which was introduced in August 1923.

The Bill that was introduced was introduced in the Leg. Council on 22-11-1920 referred to a Select Committee on 29-3-1921 after ~~being passed~~, first reading; The Report of the Select Committee in favour by 27-4-1922 the Report was presented to the Council on 16-4-1923 & accepted by the Council. At this stage some amendments proposed by Mr Abdul Khan were rejected by the House, ~~which passed the~~ Sanction of the Govt of India was obtained & the Bill was at its last stage — (ie) passing stage — when it was withdrawn by

The file returned to the Board cancelled 1929

Leave 1929

Submitted.

In the present Bill, several of the amendments which were proposed in an earlier Bill, which was withdrawn in 1923, have been incorporated. The Old Bill that was withdrawn was based on the recommendations of a Committee presided over by Sir K.P. Puttanna Chetty. Other amendments are to give effect to the resolutions of the L.S.G. Conference, the recommendations of the Committee ~~appointed by~~ for the Municipal Accounts Manual and the resolutions or representations made in the R.A. and the Legislative Council. Govt themselves have taken the initiative in certain cases, and amended the Regulation. The basis for some of these amendments has been the law in force in Bombay & Madras in most cases.

In a Copy of the Bill, the origin of each amendment, wherever available, has been marked. A Copy of the old Bill which was withdrawn in 1923 is also put up

As regards the lists of proposals of the different Municipalities I have requested the L.S.G. Branch (the Administrative Branch) to prepare a list. I have no materials to do it.

Cuej
30.9

Subd

Bill was published in August 1925 and was passed into Law in 1926. (vide Regn IV of 1926 - separately). This file may therefore be closed now and records in B.

B/
25/1/29

2 drafts

G. R. S. VI—G/32] 4

SUBJECT..... 6/5

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,
( )
, *the* 191 .

Date of issue..... 7.5.18

Signed by..... W. G. Greenwood

Section Legal
File No. 44-17
Serial No. 1

No. J 4484

To Rajasabhabhushana Dewan Bahadur
K. P. Puttanna chetty C.I.E
President, Bangalore City Municipal
Council

Sir

It is proposed to constitute
a special committee consisting
of yourself as chairman
and Messrs Rajasabhabhushana
Dewan Bahadur C. Srikantaiya
Avja B.A., B.L., K. Matthan B.A.,
B. Ramaswamayya B.A., B.L.,
K. Venkatasubbiah of Nanjangud
Narayanaswami chetty of Chikballapur

over.

K 6/5

as members and

Mr B. V. Kesava Iyengar B. A

~~Advt~~ as Secretary of the Committee

to consider and report to

Govt on the draft bill further

~~to~~ to amend the Mysore

Municipal Regn, 1903, ~~as~~

~~to~~ embodying the various

~~proposal sent~~ suggestions made by the

various municipal Councils.

I am directed to request

you to be so good as to

inform Govt if you

are willing to serve on the

committee as chairman

I have &.

VS

bp for Chief Secy to Govt

List of enclosure

Mle
6.5.86

Copied by

Examined by

WD 86—GPB—60,000—15-11 16

6 copies

2 drafts

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section Miscl

File No. 44-17

Serial No. 2

GENERAL AND REVENUE SECRETARIAT,

( )

, the 191 .

No. 1. 4485
4486
4487

Date of issue..... 7.5.17

Signed by..... W. G. Sreenivasa

To

(1) Rajasabhabhushanam Dewan Bahadur C. Srikanteswara Aiyar Esq. B.A. B.L.

~~(2) K. Matthan Esq. B.A.~~

~~(3) B. Ramanuja Esq. B.A. B.L.~~

(4) K. Venkatasubbiah Esq. Nanjangud

(5) Narayanaswami Chetty Esq. Chickballapur

~~(6) B. Kesava Iyengar Esq. B.A.~~

Sir

It is proposed to constitute a Special Committee consisting of Rajasabhabhushanam Dewan Bahadur M.K. P. Puttanna Chetty C.I.E. as Chairman and Messrs

over.

Rajasabhabhusana Dewan Bahadur

C. Srikanteswara Aiyar B.A., B.L.,

K. Matthan B.A., B. Ramaswamaya

B.A., B.L., K. Venkatesh of Hanjingad

and Narayanaswami chetty of Chikballapur

~~as members and thereof yourself~~

as members and Mr B. D. Kesava

Iyengar B.A. as secretary, to consider

and report to Govt on the

draft Bill further to amend

the Mysore Municipal Regn

1906, embodying the various

suggestions made by the

various municipal councils

I am directed to request

you to ~~be~~ be so good as

to inform Govt if you are

willing to serve on the

committee as aforesaid

I have &c

List of enclosure

&c/s Jt chief Secy to Govt

Copied by

Examined by

WD 86—GPB—60,000—15-11 16

6-5-16

Judl 44-17-3

D. O. City/1015/18

City Municipal Office,
MYSORE.
Dated 9 . 5 . 1918

GEN. & REV. DEPT.
JUDICIAL
10 MAY 1918

Sir Balasubramania Iyer

I have the honour to enclose herewith a copy of the Report of the Committee appointed by the Mysore City Municipal Council to consider the Bill to amend the Municipal Law in force in the City of Mysore and to submit the same with the opinion of the Committee thereon.

I have the honour to be,
Sir,
Your most obedient servant,
Sd/- Srikanta Vamadevaiya

OFFICE OF THE MUNICIPAL COUNCIL,

No. _____

Bangalore City, Dated 9th May 1918.

J 2643

From

DEWAN BAHADUR RAJA SABHA BHUSHANA
V. P. PUTTANNA CHETTY, ESQUIRE, C.I.E.,
Honorary President, City Municipal Council,
BANGALORE.

To

The Chief Secretary to the
Government of His Highness the Maharaja
of Mysore, Bangalore.

SIR,

With reference to your letter No. J.4484 dated the 7th May 1918, enquiring if I am willing to serve as Chairman of the Special Committee proposed to be constituted for considering the draft Bill further to amend the Mysore Municipal Regulation, 1906, I have the honor to state that I shall be glad to serve on the Special Committee as desired.

I have the honor to be,
Sir,
Your most obedient servant,
V P Puttannachetty
Honorary President.

C.R.G.

1917-18

From The Honorary President
Municipal Council
Bangalore city

To The Chief Secy to the
Government of Mysore
Bangalore

Dated 9th } May 1918
Despatched 10th }

Received

GEN. & REV. SECRETARIAT
III
MAY 1918

General No.
No. 02214

Enclosure No.

Expressing his willingness
to serve as chairman of
the Special Committee
proposed to be Constituted
for Considering the draft
Bill further to amend
the Mysore Municipal
Regulation of 1906

GEN. & REV. SECRETARIAT
III
13 MAY 1918

Check Ballapur

J2644

From the Secretary to Government
Revenue 44-17
5

To C. S. Balasundaram Iyer Esqr B.A
Chief secretary to the Govt: of
His Highness the Maharaja
of Mysore.

Sir,

I have the honour to acknowledge the receipt of your letter dated 7th inst and beg to say that I shall be very glad to serve on the Committee to consider the draft Bill further to amend the Mysore Municipal

J2645

44-14

Kanjeevaram
9th May 1918.

From

M. K. Venkataswami Aiya BA BL
Municipal Councillor
Kanjeevaram

To C. S. Balasundaram Iyer Esq BA,
Chief Secretary to the
Government of Mysore

Sir:

With reference to your kind Lr No: J. 4486 intimating that the Government has been good enough to propose my name for the Committee to be formed to consider the draft Bill further to amend the Mysore Municipal Regulation, I beg to state that I am willing to serve on the Committee.

I beg to remain, Sir
Your most obedient Servant
K. Venkataswami Aiya

3 drafts

7 copies

Proceedings of the Government of H.H. the Maharaja of Mysore.

Order--No. J 4871-77 Legis 44-7-7 Enclosures each

Dated 30.5 1918.

Government consider that it is -- desirable to refer the draft Bill further to amend the Mysore Municipal Regulation 1907 embodying the suggestions made by the various Municipal Councils &c., to a special committee for consideration and report. They are therefore pleased to appoint a committee --- consisting of the following gentlemen with Rajasabhabushana Dewan Bahadur --- Mr.K.P.Puttanna Chetty, C.I.E., as ---- Chairman.

by Mr. G. Srinivasa Iyer

1. Rajasabhabushana Dewan Bahadur - --- Mr.K.P.Puttanna Chetty, C.I.E., President, City Municipal Council, Bangalore.
2. Rajasabhabushana Dewan Bahadur ---- Mr.C.Srikantesvara Aiyar, B.A., B.L., --- President, City Municipal Council, Mysore
3. Mr.K.Matthan, B.A., Mysore.
4. Mr.B.Ramaswamaiya, B.A., B.L., Revenue Secretary.
5. Mr.K.Venkatesiah, Nanjangud.
6. Mr.Narayanaswamy Chetty, Chickballapur.

Mr.B.T.Kesava Iyengar, B.A., (to be -- Secretary).

The Chairman will be requested to fix the time and place of meeting and -- after the Bill is considered by the --- Council ~~and will~~ send a report to Govt. with - --

with definite recommendations of the --- Committee, if any, for amending the ---- same. A statement of suggestions received up to date will be furnished to the Committee.

(Approved by 2nd Member (Vide order on rough draft)

CBS
30/4/18

Chief Secretary to Govt.

Eg.
30/4

To

4878
Encl.

Rajasabhabushana Dewan Bahadur
K.P.Puttanna Chetty, Esq.,C.I.E.
(with a covering letter).
Rajasabhabushana Dewan Bahadur
C.Srikantesvara Aiyer,Esq.,B.A.
B.L.
~~Mr.~~ K.Matthan, Esq., B.A., ~~Mysore~~ Retired Commissioner
~~Mr.~~ B.Ramaswamaiya, Esq., B.A.,B.L., Rev. Secretary.
~~Mr.~~.K.Venkatesiah asamidar, Esq., Municipal Councillor, Nanjangud.
~~Mr~~.Narayanswamai Chetty, Esq., Ml. Councillor, Chickballapur
~~Mr.~~ B.~~T~~.Kesava Iyengar, Esq., B.A.,
~~(to be Secretary).~~

9 copies

19+18+

3 drafts

draft-

A Bill further to amend the Mysore Municipal Regulation, 1906

Whereas it is expedient further to amend the Mysore Municipal Regulation, 1906; His Highness the Maharaja is pleased to enact as follows:-

Amendment of section 15

1.(1) Between the words "he shall" and the words "be disabled" in the last paragraph of sub-section (2) of section 15 the words "subject to the provisions of sub-section (2A) below shall be inserted

(2) The following new sub-section shall be inserted after sub-section (2) of section 15:

"(2A). The Municipal Council may, at their discretion restore to

(G.No. VIII)

Vide sec: 65 (Proviso) of the Madras City Municipal Act 1904.

Amendment of sub-section (14) of section 26

File No XI]

vide L. B. & V. P. Rules sec: 18(2)

office, the person so disabled.

2. (1) In paragraph (a) of sub-section (14) of section 26 of the Regulation, for the words "the Executive Engineer, Educational Inspector and the Civil Surgeon in a district when charged with any of the duties of a health officer therein the words "the principal sanitary officer and the principal medical officer of the district the Executive Engineer and the District Inspector of Schools" shall be substituted

(2) In paragraph (b) of the same sub-section

for the words "Executive Engineer, Educational Inspector or Civil Surgeon of or in the district" the words "the principal Sanitary Officer and the principal medical Officer of the district, the Executive Engineer and the District Inspector of schools shall be substituted

(3) The explanation to the sub-section shall be omitted

3. The proviso to the first paragraph of section 31 shall be omitted.

4. In sub-section (1) of section 40 the words "in such manner as may be directed by rules which the Government may from time to time make in that behalf" shall be inserted between the words transfer and "any".

5. (1) For paragraph (c) of sub-section (1) of section 48 the following shall be substituted :-

Amendment of section 31

VI Proportion khuhalf instead of one third

Amendment of sub-section (1) of section 40

[File No VI]

Amendment of section 48

For regulating sale of food and drink

"(c) prescribing the conditions on or subject to which and the circumstances in which and the areas or localities in respect of which, licenses may be granted, ~~refunded~~ refused suspended or withdrawn for the use of any place, not belonging to the Municipal Council, as a hotel, bakery, sweetmeat shop or other place for the sale of articles intended for human food or drink other than those mentioned in clause (b) and providing for the inspection of such places and for securing the cleanliness of such places and the wholesomeness of the articles prepared, kept or sold therein.

~~Amendment of section~~

(2) In paragraph (ii) of sub-section (1) of section 68 the words "or any other vehicle with or without springs" shall be inserted after the word "tricycle"

[Schedule II]

(3) After paragraph (b) of sub-section (1) of section 48 the following new paragraph shall be inserted

"(bb) laying down conditions subject to which vacant building sites may be disposed of;"

Amendment of section 53

[Schedule XII] after s. 3(1)

6. In sub-section (1) of section 53 the words "the local Government" with "the Savings Bank" in the said Act "Treasury", or "shall be omitted

Amendment of section 59

[Schedule I & III]

7. To section 59(1) add the following proviso viz:-

"Provided that the President of the Municipal Council may exempt from taxation under this section any vehicle none of the wheels of which exceeds 24 inches in diameter and which is used solely for the conveyance of children.

Amendment of section 66

[Schedule XIII]

8. For sub-section 1) of section 66 the following sub-section shall be

substituted

"(1) The Municipal Council may at any time thereafter alter the said list by inserting the name of any person whose name ought to ~~be~~ have been or ought to be inserted, or by inserting any property which has been erroneously valued or assessed through fraud, accident or mistake or which by reason of its construction or total demolition subsequent to the authentication of such list, ought to be revalued and assessed after giving notice to any person interested in the alteration of a time not less than one month from the date of service of such notice at which the alteration is to be made

Amendment of section 82

9. Sub-section (3) of section 82 shall be omitted

[File No. I & II]

Amendment of section

10. In sub-section (1) of section 83 for the words "service of such notice of

demand" the words "presentation of the bill" and for the words "notice" the word "bill" shall be substituted

Amendment of section 85

In para (a) of section 85 for the words "notice issued under sub-section (3)" the words "bill presented under sub-section (2)" shall be substituted

[files Nos I & III

Amendment of section 86

12. In the first paragraph of section 86 for the word "notice of demand issued under sub-section (3)" the words "bill presented under sub-section (2)" shall be substituted and in paragraph (a) thereof for the words "service of the notice of demand" the words "presentation of the bill" shall be substituted.

[files Nos I & III]

Addition of a new section after section 91.

13. After section 91 and under the heading "(2) Powers to regulate buildings &c" the following

II

new section shall be inserted as section 91A namely:-

"91A.(1) It shall be competent for the Municipal Council to declare that any vacant land within Municipal limits is fit for use as a building site

Power to declare any vacant land as fit for use as a building site.

(2) When the term prescribed for building and agreed to is exceeded by the grantee or purchaser of a building site in the absence of such reason as may be considered satisfactory by the Municipal Council, it shall be competent for the Municipal Council to resume the site with any building existing thereon after giving the owner of the site, or, if the owner cannot be ascertained or found the person in possession such notice as to the Municipal Council may

Resumption of vacant building sites and the disposal of the same by the Municipal Council

seem proper and to dispose of the same by public auction or otherwise for building purposes, after giving notice of their intention to do so, by a proclamation published in the Official Gazette not less than one month prior to the date fixed for the sale. On such resumption the site, with the building, if any, thereon shall vest in the Municipal Council free from all encumbrances excepting those, if any, in favour of Government, created by the owner or any person claiming through him subject however, to the proviso that such owner or any person claiming through him shall be entitled to Payment from Municipal funds of the amount realised by the Municipal

Council by the resumption and disposal of the property less any charges incurred for such resumption and disposal

Power under sub-section (2) to be conferred on Municipal Councils by Government

(3) The powers conferred by sub-section (2) shall be exercised only by such Municipal Councils as may be specially authorised by the Government in this behalf

Rules for sale of sites resumed to be framed by Municipal Council and sanctioned by Government.

(4) Before a sale can be held under this section, every Municipal Council shall make rules with the previous sanction of Government to regulate the procedure to be adopted in such sales the previous sanction of Government shall be obtained for such rules."

Additional new section after section 96

Amendment of section 96

12. At the end of sub-section (1) of section 96 the following words shall be inserted, "and where the land on which the building

[illegible]

is proposed to be erected is an agricultural land shall also furnish at the same time a copy of the order of the Deputy Commissioner permitting the appropriation of the land for building purposes and a receipt for payment of the fine, if any, imposed by the Deputy Commissioner for that purpose".

Unnecessary

Addition of a new section after sec: 137

[File No. X]

15. After section 137 the following new section shall be inserted as section 137A :-

"137A. (1) In Municipalities to which the provisions of this section have been extended by Government by a notification in the Official Gazette, no person shall without the previous written permission of the President of the Municipal Council newly establish in any premises any factory, workshop or work-place in which it is intended that steam, water, electrical or other mechanical power

shall be employed, nor continue to work any such factory, workshop, or work place already established after the lapse of three months after the provisions of this section are extended to the Municipality

(2) The President of the Municipal Council may refuse to give such permission if in his opinion the establishment of such factory, workshop or work-place in the proposed premises is objectionable by reason of the density of the population in the neighbourhood thereof or will be a nuisance to the inhabitants of the neighbourhood or in any manner contravenes the terms of any bye-laws framed in this behalf

(3) Whenever the President of the Municipal Council on a report or complaint made to him finds that a factory, workshop, or

Amendment of Bangalore city Municipal Act

workplace in which steam, water, electrical or other mechanical power is employed is causing nuisance to the inhabitants of the neighbourhood or is objectionable on account of the density of the population in the neighbourhood or in any manner contravenes any bye-laws framed for the purpose, he may by a written order cancel the permission granted under sub-section (2) and require the owner, occupier or manager of the factory, workshop or workplace to remove the factory, workshop or workplace from those premises within a time to be specified in the order which shall not in any case be less than three months.

(4) Whoever contravenes any of the provisions of this section shall be punishable with fine which may extend ~~to Rs. 1000/-~~ to rupees one thousand and with further fine not exceeding rupees one hundred for every day on which the offence is continued after the date of the first conviction.

Addition of a new section after section 138.

16. After section 138 the following new section shall be inserted

[File No VII]

Prohibition of use of certain kinds of whistle or trumpet without permission of the President.

"138A. (1) No person shall, without a license granted by the President use or employ in any factory or any other place, any siren, whistle or trumpet operated by steam, other mechanical power or electrical power, for the purpose of summoning or dismissing workmen or persons employed.

License to specify conditions &c. on which it is granted

(2) The license shall specify the period for which and the restrictions and conditions subject to which, the same is granted

Revocation of license

(3) The President may at any time revoke any license which he has issued for the use of any such instrument as aforesaid, on giving one months' notice.

Provided that no such notice shall be required to be given by the President if he suspends

or revokes any such license on the ground that any of its restrictions or conditions is infringed or evaded by the person to whom the same has been granted

When license is suspended &c. grantee to be deemed to be without a license

(4) When any such license is suspended or revoked or the period for which the same was granted has expired the person to whom the same was granted shall be deemed to be without a license until the President's order for suspending or revoking the license is cancelled by him or until the license is renewed, as the case may be.

Penalty

(5) Whoever uses or employs any such siren whistle or trumpet as aforesaid without or in contravention of any of the conditions of such license shall be punished with fine which may extend to fifty rupees.

Grantee to be bound to produce license

(6) Every person to whom any such license has been granted shall at all reasonable times, while such license remains in force, if so required by the President produce such license

Amendment of ~~sub-section (6) of~~ section 154

17. In sub-section (6) of section 154 for the words "and shall be recoverable in the manner provided in section 160" the following words shall be substituted viz

"and shall, where a dispute arises as to the amount so recoverable be ascertained and determined in the manner provided in section 160 and shall at the discretion of the Municipal Council be recoverable in accordance with the provisions of chapter VIII.

[File No VI]

Addition of a new section after section 165

18. After section 165 of the Regulation the following new section shall be added as section 165A:-

15 7 Sept 07 for C&M Statutes Mal. Laws

composition of offences

"165A (1) The Government may empower any Municipal Council, or its President, Vice-President, Chief Officer, Health Officer, or Engineer, or any Councillor appointed by it, or the Managing or any other Committee, or the Chairman thereof, to accept from any person, against whom a ~~reasonable~~ reasonable suspicion exists that he has committed an offence against this Regulation or any rule or bye-law thereunder a sum of money by way of composition for such offence

(2) On payment of such sum of money, the suspected person, if in custody, shall be discharged, and no further proceedings shall be taken against him in regard to the offence or alleged offence so compounded

(3) sums paid by way of composition under this section shall be credited to the Municipal fund.

(4) Power under sub-section (1) to accept composition for alleged offences may be given either generally in regard to all offences under this Regulation and the rules and bye-laws thereunder, or particularly in regard only to specified offences of a specified class, and may at any time be withdrawn by the Govt.

(5) The sum of money accepted as composition under sub-section (1) shall not exceed the amount of fine fixed for the offence in the Regulation or in any rule or bye-law thereunder or rupees fifty whichever is less

(6) The Government may make rules to regulate the proceedings of persons empowered to accept composition under this section for alleged offences.

Provided that no offence which falls under any provision of the Indian Penal Code shall be compounded unless in accordance with the provisions of section 345 of the Code of Criminal Procedure.

Repeal of Schedule V

[File No. I & III]

19. Schedule V of the Regulation shall be repealed.

Amendment of section 57A of the Civil Procedure Code.

[File No. I & III]

20. In sub-section (1) of section 57A of the Code of Civil Procedure, 1911, as amended by Regulation I of 1915, the words "or a vacant building site" shall be inserted after the word "building".

Accepted.

21. Consideration of the question of adding the Town Planning Bill as a chapter of the Municipal Regn., 1914

To be separate

3 drafts

9 copies

Statement of Objects and reasons

The present Regulations having been found from experience to be very defective a number of suggestions have been received for amending the Regulation. The Bill has accordingly been prepared. The notes on clauses attached to this explain the scope and object of these amendments.

Notes on clauses

~~clause 1 government~~

~~note by~~

Clause 1 (1) inserts under clause (e) to sub-section (2) of section 15 of the Mysore Municipal Regulation a Councillor who fails to attend any meeting of the Municipal Council for a period of 4 months provided that there shall have been not less than three such meetings within

such period ceases to be a councillor. There have been instances in which the absence of councillors was due to causes beyond their control. In ~~these~~ such cases the ~~ab~~ disability would have been removed by the Municipal Councils if power had been given to them in this behalf it is desirable to empower the Municipal Councils to restore such persons to their office as councillors

Clause 2. - Under the present law the District Sanitary Officer is not entitled to be present at a meeting of a Municipal Council and it is desirable to authorise him ~~to~~ also to attend. Sub-section (4) of section 26 is therefore proposed to be attended.

Clause 3. Under the provisions of section 31 the number of persons not being councillors, who

can be appointed on any committee should not exceed one third the total number of the members of such committee. This proviso has the effect of excluding a number of willing and competent persons from serving on committees and helping the Municipal administration. It is deemed necessary to omit this proviso and give a free hand to the Municipal Councils in order to enlist popular cooperation in Municipal administration.

Clause 4. - Sites are often acquired by private persons within the Municipal limits specially without any object of building. This has been specially the case with sites in the Chamarajpet, Basavangudi and Malleswaram extensions of the Bangalore city Municipality.

It is proposed to impose some effective ~~control~~ conditions to prevent acquisition of sites by way of speculation. Under the Land Revenue Code Government have power to frame rules prescribing the manner in which vacant building sites can be disposed of by the Deputy Commissioners and Rules have accordingly been issued under Government Order No R 6695-L.R.482-11-1 dated 15th May 1912. ~~Clause~~ Power is ~~therefore~~ proposed to be given to Govt to frame similar rules in the matter of sale &c of building sites by Municipal Councils.

Clause 67 (1) & (2) and clause 7 Under the present Regulation there is no provision to compel persons to give previous intimation to Municipal Councils and take out licenses before opening any shop

market or hotel or any place for the sale of food stuffs or drink and as such it is difficult to bring them under supervision. It is therefore proposed to amend section 48(IX(c) suitably.

(2) Again the present Regulation does not provide for numbering and registering vehicles with springs kept for private use and thus evasion of payment of taxes cannot be guarded against. In 1915 a Regulation was passed for the purpose of enabling motor vehicles bicycles and tricycles liable to taxation to be numbered and registered and it is intended to extend this provision to other vehicles with or without springs except vehicles with small wheels solely used for the conveyance of children

~~(5)~~

clauses 5(3) and 13:— It is reported that there are many buildings sites in

the towns of Bangalore and Mysore and in other Municipalities which have been allowed by the owners to remain vacant for a number of years. Some of these seem to have been purchased more for speculation than for purposes of building. The majority of such sites are not even properly conserved or enclosed. It is therefore necessary to empower Municipal Councils to compel owners to build on the sites within a specified time. The powers conferred by ~~in the~~ these clauses can be exercised only by such Municipal Councils as may be specially authorised by the Government in this behalf.

Clause 6. - Under the Government Savings Banks Rules the surplus funds of Municipal Councils cannot be accepted

for deposit as it is undesirable that Govt should give interest on such amounts. But section 53(2) as it stands at present authorises a Municipal Council to place the funds in deposit in the local Government treasury. Thus section is therefore proposed to be amended so as to bring the law into conformity with the present practice

clause 8. - Section 66 applies only to property already in existence at the time of the preparation of a fresh assessment list and new properties can only be brought on the list as mentioned in section 67 only from the official year in which the list is amended and thus the Municipality cannot get any benefit out of such properties for the remain

portion of the year in which they were brought into existence. The section has therefore been recast.

Clauses 9, 10, 11, 12 and 19

At present when default is made in payment of any tax the Municipal Council has first to issue a bill and then a notice of demand and then take coersive action. This is deemed a cumbersome process and it is therefore proposed to do away with the notice of demand

Clause 14. - Government order No 4505-21-L.R. 132-11-1 dated 29th Feb. 1912 directed that in the case of erection of a building on an agricultural land situated within Municipal limits the President of a Municipal Council should not entertain an application for a

building license under section 96(1) of the Mysore Municipal Regulation unless with the application a copy of the order of the Deputy Commissioner permitting the use of the land for building purposes and a receipt for payment of the fine, if any, imposed by the Deputy commissioner under sec. 63(2) of the Mysore Land Revenue code are produced.

But this rule was held by the chief court in Muddaiya ~~&~~ Govt. (City Municipality) [2 M.C.R. 279] to be ultra vires as the Mysore Municipal Regulation did not authorise the President of a Municipal council to refuse grant of a building license unless the above formality had been observed. It is therefore considered necessary to amend the Mysore Municipal Regulation suitably so as to legalise the practice referred to.

Clause 15— Flour mill and oil factories worked by electric power or oil engines are being established close to Hospitals &c in the Bangalore city and thus cause considerable nuisance to the neighbourhood. Under the present law there is no provision to prevent the erection of such factories in such places. The Bill has therefore been prepared to give such power to the Presidents of Municipal Councils ~~of~~ in Municipalities to which these provisions are extended by Government by a notification in the Official Gazette.

Clause 16.— Complaints are being received from the residents of Bangalore that the early morning whistle from one or other the local Mills disturbs many households. There is now no provision of law to abate the

nuisance in this respect. It is therefore considered desirable to take the necessary power, by ~~amending the Regulations~~

Clause 17. - Under the ~~Model Municipal~~ Regulations whoever begins any building or makes any alteration or addition to it contrary to the requirements of section 96 sub-sections (1) and (4) is liable to a fine under sub-section (5) of that section and the Municipal Council may also, by written notice, require such building, alteration, or addition to be altered or demolished as they may deem necessary. In the event of non-compliance with the terms of the notice the Municipal Council may under sub-section (6) of section 154 take such action or such steps as may be necessary for the completion of the act thereby

required to be done and all the expenses therein incurred recovered from the person or persons on whom the notice was served In case of dispute the amount to be so recovered has to be settled by Panchayat under section 160. But even after the determination of the amount by the Panchayats if the party fails to pay the same it can only be got by a suit. As this procedure leads to inordinate delay it is considered desirable to amend the law so that the amount may be ~~recoverable~~ recovered by summary process under chapter VIII of the Municipal Regulation as in the case of arrears of taxes, clause 18. - ~~In 1911, the~~

~~President of the Municipal Council~~ Representations have been made regarding ~~suggested~~ the desirability of amending the Regulation by inserting in it a provision

on the lines of section 177 of the Municipal Law of the Civil and Military Station Bangalore, so as to empower Municipal Councils to compound offences against the Municipal Regulations and Rules and bye-laws thereunder ~~A provision to represent this clause~~

clause 20. - Regulation I of 1915 amending the code of Civil Procedure directs that only decrees of partition in case of buildings within Municipalities to which the section is extended ~~to be~~ be sent to the President of the Municipal Council for execution in conformity with the provisions of the Partition Regulation It is intended to extend this provision to the case of vacant building sites also

2/11/16

Proceedings of the Government of His Highness

the Maharaja of Mysore.

Order No. J 4871-77
Legis 44-17-7 Dated, 30th May 19.

Government consider that it is desirable to refer the draft bill further amend the Mysore Municipal Regulation 1927 embodying the suggestions made by the various Municipal Councils etc, to a special committee for consideration and report. They are therefore pleased to appoint a committee consisting of the following gentlemen with Rajasabhabushana Rowan Bahadur Mr. R.P.Puttanna Chetty, C.I.E., as Chairman.

1. Rajasabhabushana Rowan Bahadur Mr. R.P.Puttanna Chetty, C.I.E., President, City Municipal Council, Bangalore.
2. Rajasabhabushana Rowan Bahadur Mr. C. Srikantaiyara Aiyar, B.A., B.L., President, City Municipal Council, Mysore.
3. Mr. K. Nathan, B.A., Deputy Commissioner.
4. " S. Ramaswamaiya, M.A., B.L., Revenue Secretary.
5. " K. Venkatasamiah, Nanjangud.
6. " C. Narayanaswamy Chetty, Chikballapur.
7. " M.V. Keshava Iyengar, Mr., B.A., (to be Secretary).

The Chairman will be requested to fix the time and place of meeting and after the Bill is considered by the Council send a report to Government with definite recommendations of the committee if any, for amending the same. A statement of suggestions if received up to date will be furnished to the Committee.

[signature]
for Chief Secretary to Government.

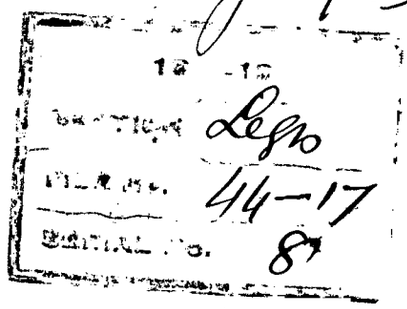
To

Rajasabhabushana Rowan Bahadur R.P.Puttanna Chetty.
Rajasabhabushana Rowan Bahadur C. Srikantaiyara Aiyar

K. Nathan Esq., B.A., Mysore.
S. Ramaswamaiya, Esq. B.A., B.L., Revenue Secretary.
K. Venkatasamiah Esq., Nanjangud.
C. Narayanaswamy Chetty Esq., Chikballapur.
M. V. Keshava Iyengar, Esq., B.A.,

No. 349 dated 15th June 1918

J 2965



From

Dewan Bahadur Rajasabha Bhushana
K.P. Puttanna Chetty, Esquire, C.I.E.,
Chairman of Special Committee,
B a n g a l o r e

To

The Chief Secretary to the
Government of His Highness the Maharaja
of Mysore, B a n g a l o r e .

Sir,

With reference to Government Order No. J.4871-77/Leg. 44-17-7 dated the 30th May 1918, appointing a Special Committee for considering certain amendments to the Municipal Regulation suggested by the several Municipal Councils, I have the honor to request you to be so good as to state whether the Committee have the power to ~~draft~~ Co-opt a few additional members not exceeding 2 or 3 if necessary and if so, whether the Chairman of the Committee may exercise such power on behalf of the Committee. An early reply is requested.

I have the honor to be,
Sir,
Your most obedient servant,
K P Puttannachetty
C h a i r m a n .

C.R.G.

1917-18

From The Honorary President
Municipal Council
Bangalore city &
President of the Special Committee for
Considering certain proposed municipal Regulations

To The Chief Secretary
the Government of Mysore
Bangalore

Dated 15th June 1918
Despatched
Received 6008

GEN. & REV. DEP.
IV
JUN 1918

General No. 349 Secy
No.

Enclosure No. III

Requesting to be informed whether
the Special Committee appointed
for Considering certain amend-
ments to the municipal Regulations
have the power to coopt a
few additional members and
whether the Chairman of
the Committee may exercise
such power on behalf of
the Committee &c

GEN. & REV. SECRETARIAT
III
JUDICIAL
18 JUN 1918

G.R.S. VI-71]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, the *191*

Date of issue 29.6.18

Signed by M.V.G. Sreenivasa

Section Legis

File No. 44-17

Serial No. 9

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read.— G.O. No. J 4871-77 — Legis 44-17-7 dated 30th May 1918 appointing a special committee to consider and report on the draft bill further to amend the Mysore Municipal Regn, 1903, embodying the suggestions made by the various Municipal Councils

2. Letter No. 349 dated 15th June 1918 from the

over.

~~Order Thereon.— No.~~

ay this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette English part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette Kannada part ?

chairman of the Special
Committee enquiring
if the committee have
power to coopt
additional members if
necessary &
order thereon J 5224

Government are
pleased to direct that
(a) ~~the chairman of the Committee~~
(b) the Special committee may, if necessary, coopt a few
additional members
not exceeding three

either (a) or
(b) may be
struck off

(a) may be struck off

Yes
Rees
26-6-05

U/22/6/05
For chief Secretary to Govt

List of enclosures.

To Rajasabhabhushana Diwan Bahadur
K.P. Puttanna chetty Esq C.I.E.,
Chairman of the Special
Committee,
Bangalore.

Copied by

Examined by

Copy to the Asst Secretary Bd of Rev. for information. (Sent)

Office of the Secretary of the Special Committee for considering the Draft Municipal Regulation Amendment Bill.

* * *

GENERAL AND REVENUE SECRETARIAT,

No. S.C.8. Dated Bangalore, the 5th October 1918

From

B. T. Kesava Iyengar, Esq., B.A.,
Secretary to the Special Committee,
for considering the Draft Municipal
Regulation Amendment Bill,
BANGALORE.

To

C. S. Balasundaram Iyer, Esq., B.A.,
Chief Secretary to the Government of His Highne
the Maharaja of Mysore,
BANGALORE.

Sir,

With reference to Government Order No.J.4871-77/Le 44-17-7 dated the 30th May 1918, appointing a Special Committee to consider certain further amendments to the Mysor Municipal Regulation, I have the honour to forward herewit the Report of the Committee that met on the 12th July 1918.

2. I have also submitted herewith the entire records relating to the proceedings of the Committee for reference if required.

I have the honour to be,
S i r,
Your most obedient servant,

Secretary to the Special Committee.

H.R.R.

REPORT OF THE SPECIAL COMMITTEE.

To

C. S. Balasundaram Iyer, Esq., B.A.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

Sir,

With reference to Government Order No. J. 4871-77/ Leg. 44-17-7 dated 30th May 1918, appointing a Special Committee to consider certain amendments to the Municipal Regulation, we the members of the said Committee, have the honor to report as follows:--

In accordance with Government Order dated 29th June 1918, permitting the co-option of a few additional members to the Committee we beg to state that Messrs. B.K.Garudachar and B.V.Ramaswamy Chetty were co-opted as such.

The whole Committee met on the 12th July 1918, for considering the several amendments referred to them.

Clause I. The first amendment on the agenda relates to the provision to be made in Section 15 Cl(2) with a view to give power to the Municipal Councils to restore a Municipal Councillor who forfeits his seat owing to continued apsence. We have carefully considered the section and are of opinion that the section does not require any amendment, firstly because the section applies only to Members absenting themselves without leave, and secondly a Member so absenting is prima facie not deserving of any special consideration. Besides there is nothing in the

Regulation which prevents the Councillor so forfeiting his seat from standing for re-election or from being recommended for renomination.

Clause 2. The amendments to Section 26, Clause 14(a)(a) and (b) of the Regulation are of a verbal nature and are in accordance with similar nomenclature employed in the Local Boards and Village Panchayats Regulation. The new nomenclature appears to be necessary and is accepted.

Clause 3. The amendment proposed in respect of Section 31 which provides for outside co-operation in Municipal affairs by the appointment of Committee composed of -- Councillors and other citizens requires a little scrutiny. The limitation imposed in the proviso of that Section is evidently intended to secure the permanent interests of the Municipality by having on all such Committees a sufficient representation of the Municipal Council so that sweeping changes not consistent with the settled policy or programme of the Municipality may not be introduced. We are also aware of the disadvantages of a restriction of this kind in that it may occasion all shut out of earnest and enthusiastic workers from co-operating in Municipal administration. With a view however to minimise the latter defect we would propose that the proportion of associated workers (Non-Municipal Members) may be increased from 1/3 to 1/2.

Clause 4. We have considered it desirable to deal with amendment to Section 40 (1) along with Section 91-A, as the questions raised therein are more or less of an allied character.

Clause 5(1). We agree to the amendment proposed to Section 48 Clause (6) as under the existing Regulation the Municipality has no power whatever of regulating the

opening of bakeries, hotels, etc., as a result of which these institutions are to be found in undesirable and insanitary localities.

Clause 5(2). The amendment to Clause (jj) of Section 48 goes far too much in the direction of interfering with the rights of the public as under the proposed amendment even private carriages would become liable to be numbered and registered, a procedure which will undoubtedly be resented by the public at large. We consider, therefore, that no addition is necessary. The object of this amendment is evidently intended to prevent the evasion of payment of taxes, but in Clause (j) of the same Section --- suitable provision has been made to ensure the supply of correct information regarding liability to tax and beyond this nothing further appears to be necessary.

Clause 5(3). The new Clause (pp) to Section 48 will be dealt with under Section 91-A. as this is only a consequential amendment to that section.

Clause 6. We note that the amendment proposed to Section 53 is in respect of Clause (1) of that Section, and as the amendment proposed is to make the Regulation consistent with the Savings Bank Rules we agree that the words "with the Government Savings Bank or" and the word "other" before the words "bank in or outside of Mysore" be omitted.

Clause 7. The proviso to Section 59, Clause (ii) proposed with a view to exempt children's perambulators from taxation appears to be unnecessary as it is open to the Municipal Council to make under Clause (iii) to Section 60(a) any exemptions which they desire to make.

Clause 8. The amendment of an assessment list between any two official years during which it is in operation so as to

bring under taxation new structures coming up during the intervening period does not appear to us to be of as great a consequence as it at first sight may seem to be. An elaborate provision like this for the sake of securing a small addition to the Municipal Revenue by taxation of new buildings appears to be wholly disproportionate to the labour and inconvenience involved in the further revision and authentication of the said list. The amendment we consider, may be dropped.

Clauses 9 to 12 and 19.

We have carefully considered the deletion of ---- Clause (3) to Section 82 and the consequential amendments relating to the same subject, the necessity for which is stated to be the minimising of the labour and time involved in adopting the existing procedure. We think that from the ratepayers point of view the proposed deletion will be attended with some risk as the presentation of a bill and service of notice are two entirely different acts, each one having a legal significance of its own, the latter requiring greater care than the former. The --- whole Section as it is, lays down a logical process of the mode of recovery of the taxes. Though the clerical work thrown on the Municipal Councils under this system is great, we consider that the procedure, prescribed therein should be left as it is in the interests of the ratepayers and since fees may be recovered for the issue of notices of demand, it is open to the Municipal Council to entertain necessary extra establishment. These amendments may therefore be dropped.

Clause 13.

We shall deal with Section 91-A. in the end as it is rather an important question and requires separate consideration.

Clause 14.

The amendment to Section 96(1) is not clear in ~~the~~ its object nor do we see the utility of making it under

Section 96(1), since the Municipal Council has no power to refuse a license on other than sanitary grounds.

Clause 15.

The new Section 137-A. is intended to regulate the establishment of flour and oil mills and factories worked by electric or other machanical power by the side of dwelling houses and in crowded localities, especially in the proximity of hospitals, churches, etc. Under the present law there is nothing to prevent the erection of factories in such places. We agree that some restriction is called for in this direction and the principle involved is accepted by us. We, however, think that the wording of the new Section as proposed in the agenda may be revised so as to be in conformity with the amendment suggested by the Bangalore City Municipal Council a copy of which is attached hereto.

New 9(3) & 24

Clause 16.

New Section 138-A. proposed in the agenda relates to the prohibition of the use of certain kinds of whistles or trumpets in Mills without permission of the President, as frequently complaints have been made by the residents of Bangalore that the sirens used by the mills here in the early mornings disturb many households. We agree that some restriction is necessary in this case also and accept the principle involved in the new Section. We think, however, that the Section proposed is very elaborate as the conditions of the grant and revocation of licenses issued under the Section have also been made part of the Section. We are of opinion that the proper course would be to adopt a Section similar to Section 393 of the Bombay City Municipal Act and deal with licenses generally in a separate chapter.

New 9(3) 25

Clause 17.

We are not in favour of adopting the amendment proposed in respect of Clause(6) Section 154 as the proposal is inconsistent with the provisions of Section

164 which clearly lays down the procedure in such cases.

Clause 18. New Section 165-A. proposed relates to the composition of offences by certain officers of the Municipality In view of the trivial nature of many of the offences to bring which into court much unnecessary trouble is involved to the Municipality and undesirable annoyance caused to innocent and perhaps ignorant offenders, it appears to us necessary to empower Municipal Councils to compound offences at their discretion. We accordingly accept the principle involved in the new Section.

Clause 20 we accept the amendment to Section 54-A. of the Civil Procedure Code as it follows from the nature of the Section itself.

Clause 4, 5(3) and 13. As regards the amendments to Section 40(1) Section 48(pp) and addition of new Section 91-A we beg to state as follows:--

The amendments proposed to Section 40, new Section 91-A. and Section 48(pp) items 4, 5(3) and 13 of the --- agenda relate to three classes of cases:--

(1) Vacant building sites already in existance.

2) Vacant sites newly created.

3) Vacant sites the ownership of which is not known for a number of years.

The problem of the Aesthetic and orderly development of the City on Sanitary lines for the main purpose of which the extensions are formed, is effectually frustrated by the acquisition of sites by speculators who keep transferring such sites without building thereon with the result that in nicely laid out extensions many vacant --- sites are left often times uncared for and insanitary in the midst of rows of dwelling houses both to the inconvenience of the Municipality and of the neighbouring ---

house-owners. We recognise that it is necessary to remedy this evil, but we at the same time think that there is not much use in the alteration of the existing Sections of the Regulations. An effective remedy no doubt lies in assessing vacant sites at a high percentage of the market value at any particular period with due regard to the situation, locality, etc., but even this is not likely to go very far. Other remedies have also been suggested specially in the case of vacant sites, the ownership of which is not known for a number of years, such as the resumption and resale of sites under proper safe guards etc., with the provision however that when a legal owner subsequently turns up and claim his right, the Municipality may refund the amount realised by the re-sale minus the expenses. With a view to deal with this question in a thorough manner and in one place we propose the following new Section to be added to the Municipal Regulation. (Vide appendix)

One other amendment which is not on the list has also been considered by us. This relates to the amendment proposed by the Bangalore City Municipal Council relating to the farming out of all special items of Municipal Revenue. We agree that a little more lattitude is necessary to Municipal Councils in a matter of this kind, but it is a matter of doubtful policy to lease each and every item of Municipal Revenue. We would therefore recommend the leasing of certain special items only, these items being determined with due regard to the practice prevailing in other parts of British India.

Lastly we have been asked to give our opinion as regards the inclusion of the Town Planning Act as part of the Municipal Regulation. We are not in favour of having the Act in question as a part of the Municipal Regulation.

137-A. - Factory &c., not to be newly established without permission of the President. (1) No person shall newly establish in any premises any factory, workshop or work-place in which it is intended that steam, water, electrical or other mechanical power shall be employed, without the previous written permission of the President.

(2) The President may refuse to give such permission, if he be of opinion that the establishment of such factory, workshop or work-place in the proposed position is objectionable by reason of the density of the population in the neighbourhood thereof, or will be a nuisance to the inhabitants of the neighbourhood or in any other manner contravening the terms of any bye-laws framed or which may be framed on this behalf.

MC
3/10.

APPENDIX.

91-A.(1) Where the term prescribed by any bye-law framed by a Municipal Council in this behalf for completing the construction of a building on a vacant land is exceeded by the grantee, purchaser or transferee of the sites it shall be competent for the Municipal Council to resume the site with any building existing thereon after giving the owner of the land, or if the owner cannot be found or asscertained, the person in possession such notice as the Municipal Council may fix in this behalf, and to dispose of the same by public auction or otherwise for building purposes, after publication of a notice to that effect in the official Gazette not less than one month prior to the date fixed for the sale. On such resumption the land -- together with the building if any, thereon, shall vest in the Municipal Council free of all encumbrances (excepting those, if any, in favour of Government) greated by the owner or any person claiming from him, subject however, to the proviso that such owner or person claiming from him shall be entitled to payment from the Municipal funds of the amount realised by the Municipal Council from the disposal less any charges incurred for such disposal and resumption.

Provided that where the vacant land had been alienated by the Municipal Council prior to the commencement of this Regulation, the Municipal Council shall not take action under this section unless 6 years had elapsed from the date fixed for the completion of the building.

Provided also that where a vacant land is not in possession of any one and the Municipal Council is satisfied after enquiry that the owner could not be found, the notice to the the owner or possessor may be dispensed with.

(2) The powers conferred under Sub-Section 7 shall be exercised only by such Municipal Councils as may be specially authorised by Government in this behalf.

(3) Where no taxes have been paid on a vacant land for a period of six years, and the Municipal Council is satisfied after enquiry that the owner could not be found, it shall be competent to the Municipal Council to sell the land by public auction or otherwise for building purposes after publication of a notice to that effect in the official Gazette not less than one month prior to the date fixed for the sale. On such sale the land together with the building, if any, thereon shall vest in the purchaser or transferee free of all encumbrances (excepting those in favour of Government and Municipal Council) created by the owner subject however, to the proviso that such owner or person claiming from him shall be entitled to payment from the Municipal funds of the amount realised by the Municipal Council from the disposal less the taxes and other -- charges incurred for such disposal.

G. R. S. VI—G/32]

SUBJECT..... Formation of Division and Mohalla Committees in Municipalities.....

Diary No. of letter replied to..... .....

Section Legis
File No. 44-17
Serial No. 10

GENERAL AND REVENUE SECRETARIAT
( )
, *the* 191 .

Date of issue..... 23/5/19

Signed by..... W. V. Rice

No. G 26320-1

To

The President of the Bangalore and Mysore City Municipal Council

Sir,

I am directed to state that the question of the desirability of forming Division and Mohalla Committees in view to (whether a decentralisation of Municipal powers and duties has been raised in the Representative Assembly, and to request you to favour Govt with your opinion in the matter of making

over.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT
(Regis)
, *the* 191 .

Date of issue..... 19 6 19

Signed by.....

(Mark with the date)

Section

File No.

Serial No.

No. G 2815/2

To

The Presidents of the Bangalore and Mysore city municipal Council

Sir,

I am directed to invite reference to this office letter No G. 26320—1 / Legis 44-17-10 dated 23-5-1919 requesting your opinion in the matter of making provisions in the Mysore Municipal Regulation with a view to form Division & mohalla committees.

over.

28/7/19

OFFICE OF THE CITY MUNICIPAL COUNCIL,

BANGALORE CITY, DATED 24th/25 June 1919.

No. 352

19141.

73776

From

Dewan Bahadur Raja Sabha Bhushana
K.P. PUTTANNA CHETTY, Esq., C.I.E.,
Honorary President, City Municipal Council,
BANGALORE.

To.

C.S. BALASUNDARAM Iyer, Esq., B.A.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

JUN 1919

Sir,

With reference to your letter No.G.28151-2 dated 19th June 1919, inviting attention to your letter No.G.26320-1/Legis.44-17-10 dated 23rd May 1919 on the subject of making provisions in the Mysore Municipal Regulation with a view to forming Division and Mohalla Committees, I have the honour to state that the question is placed before the Council Meeting to be held on the 5th July 1919. A final reply will be sent in due course.

I have the honour to be,

Sir,

Your most obedient servant,

K.P. Puttannachetty

Honorary President.

T.N.L.

No. 10
Enc.

Dept 502 17-7-19

1439

OFFICE OF THE PRESIDENT,
CITY MUNICIPAL COUNCIL, MYSORE.

Dated 12th July *1919*

16390

FROM,

RAJASABHABHUSHANA DIWAN BAHADUR,

C. SRIKANTESVARA AIYAR, B.A, B.L.,

PRESIDENT, CITY MUNICIPAL COUNCIL,

MYSORE.

To, C. S. Balasundaram Iyer, Esquire., B.A.,

Chief Secretary to Government of His Highness

the Maharaja of Mysore.

SIR,

PROTECTION BRANCH.
JUL 1919

With reference to your letter No. G. 28151-2 dated 19th June 1919 requesting opinion in the matter of making provision in the Mysore Municipal Regulation with a view to form Division and Mohalla Committees, I have the honour to state that the matter is under the consideration of the Municipal Council whose deliberation and resolution will be communicated presently.

I have the honour to be,

Sir,

Your most obedient servant,

Srikantesvara

President.

MRV.

No. 26
Enc. one.

OFFICE OF THE PRESIDENT,
CITY MUNICIPAL COUNCIL, MYSORE.

Dated 13th August *1919*

4644

3257.

FROM,

RAJASABHABHUSHANA DIWAN BAHADUR,
C. SRIKANTESVARA AIYAR, B.A., B.L.,
PRESIDENT, CITY MUNICIPAL COUNCIL,
MYSORE.

To,

C.S. Balasundaram Iyer, Esquire., B.A.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,

SIR,

With reference to your letter No. G.26320-Legis 44-17-10 dated 7th June 1919 requesting opinion in the matter of forming Divisien and Mohalla Committees on the lines of sections 50 to 55 of the Bengal Municipal Act, I have the honour to state that the Municipal Council carefully considered the subject and are of opinion that under existing conditions such committees are unnecessary for the present.

A copy of their resolution is enclosed for refernce.

I have the honour to be,
Sir,
Your most obedient Servant,

Srikantesvaraiya

SSR.

President.

Proceedings of the 2nd (Ordinary) meeting of the City Municipal Council, Mysore held in the Rangacharlu Memorial Hall on Wednesday the 30th July 1919 at 4 P.M.

Present.

Rajasabhabhushana, Diwan Bahadur,

C. Srikantesvara Aiyar, B.A., B.L., (President).

1. M. Venkatakrishnaiya, Esq.,
2. V. Thiruvengada Modaliyar, Esq.,
3. Settappa Siddappa, Esq.,
4. M.H. Ranga Iyengar, Esq.,
5. M.S. Krishna Rao, Esq., B.A., B.L.,
6. Dharmaprakasha, D. Banumiah, Esq.,
7. Kaveripatnam Subrayasetty, Esq.,
8. A. Krishna Rao, Esq., B.A.,
9. B.R. Krishnamachar, Esq., B.A., B.L.,
10. Mahomed Jaffer Saheb, Esq.,
11. Sowcar Doddiah, Esq.,
12. Lokasevaniratha Amble' Anniah Pandit, Esq.,
13. M. Narayanaswami, Esq.,
14. K. Dhanakotichetty, Esq.,
15. C. Narasimhaiya, Esq., B.A., B.L.,
16. Lokahithaishi H. Nanjundaraja Urs, Esq.,
17. A. Subbanna, Esq.,
18. N. Desikachar, Esq., B.A.,
19. N. Setwaji Rao, Esq.,
20. Purushothamandagiri Gosayi, Esq.,
21. Madappa, Esq.,
22. M.L. Vasudeviah, Esq.,
23. Rev. H. Spencer.

Absent.

1. Sirdar M. Gopalakrishne' Urs.,
2. Abdul Aziz Pasha, Esq.,
3. Mahomed Sait, Esq.,
4. M. Anantharajiah, Esq.,

x x x

X. Letter No. G. 26320-1/Legis. 44-17-10 dated 7th June 1919 from the Chief Secretary to Government requesting opinion in the matter of a suggestion to form Division and mohalla Committees on the lines of Sections 50 to 55 of the Bengal Municipal Act.

Resolved that under existing conditions, such Committees are unnecessary for the present.

x x x

Sd/ C. Srikantesvara Aiyar.
President.

" COPY "

President.

OFFICE OF THE CITY MUNICIPAL COUNCIL,

Bangalore City, dated, 12th Sept. *19* 19.

15th

DIARY No. 5069

From

DEWAN BAHADUR RAJA SABHA BHUSHANA
K. P. PUTTANNA CHETTY, ESQ., C.I.E.,
Honorary President, Municipal Council,
BANGALORE CITY.

To

C. S. BALASUNDARAM IYER, Esq., B.A.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

Sir,

With reference to your letter No.G.26320-1/Legis.44-17-10 dated 23rd May 1919, calling for the opinion of the Council on the subject of the formation of Division and Mohalla Committees in view to a decentralisation of Municipal Powers and Duties, I have the honour to submit herewith a copy of the resolution of the Council at the meeting held on the 6th instant. Considering the importance of the subject, it was discussed at successive Meetings of the Council, and they are of opinion that separate Ward and Mohalla Committees on the model of the Bengal Municipal Act are not required. In this connection, I beg to forward herewith copies of - replies received from the Secretaries of the Corporations of Bombay and Calcutta where no such ward or Mohalla Committees are said to exist.

I have the honour to be,

SIR,

Your most obedient servant,

K P Puttannachetty

Honorary President.

TNL.

Copy of letter No.S.2413 dated 20th August '19, from J. C. MUKERJEA, Esq., Secretary to the General Committee and the Corporation of Calcutta, to the Honorary President, City Municipal Council, BANGALORE.

******

With reference to your letter No.482-83 dated the 15th August '19, I am directed to inform you that for administrative purposes the City is divided into four Districts, each District consisting of several Wards. The Corporation annually appoint eight standing special Committees to deal with all matters which come within the purview of the Corporation. The recommendations of the Special Committees are not final and their proceedings are under the law subject to confirmation by the Corporation. In addition to these eight standing Committees, the Corporation also appoint four District Committees, one for each District, consisting of Commissioners resident therein. The District Committees deal with less important matters in which local knowledge is essential, such as compensation for set-backs to road alignments, naming of streets, sites for public conveniences etc. Like the Special Committees the recommendations of the District Committees are also subject to confirmatinn by the Corporation.

Copy

for Honorary President

Copy of letter No.4140 dated 21st August '19,
from R. P. Masani, Esquire, M.A., Municipal Secretary,
Bombay. to K. P. PUTTANNA CHETTY, Esq., C.I.E.,
Honorary President, City Municipal Council, BANGALORE.

****

With reference to your letter No.482-83 dated the 15th instant, I have the honour to inform you that our existing Committees system does not admit of separate Committees for different wards of the City. In addition to a standing Committee and a Schools Committee the functions of which are prescribed in the Municipal Act, the Corporation appoint from time to time out of their own body separate Committees for dealing with special subjects. These are not Executive Committees. They simply submit their recommendations to the Corporation. I enclose for your information a list of existing Committees.

Copy

K P Puttannachetty

Hon Honorary President

No. 3.

Proceedings of the Ordinary General Meeting of the City Municipal Council, Bangalore, held in the Council Chamber, City Municipal Office on Saturday the 6th September 1 9 1 9.

****

P R E S E N T.

Dewan Bahadur Raja Sabha Bhushana [illegible] CHETTY, [illegible] C. I. E., Honorary President.

MUNICIPAL COUNCILLORS.

1. A. Pasava Iya, Esq., B.A., B.L.,
2. P. Chinnaswami Chetty, Esq.,
3. Desada Siddabasappa Setty, Esq.,
4. C. V. Narasimha Iyengar, Esq., B.A., B.L.,
5. P. L. Pasappa, Esquire,
6. L. A. P o u r w a l, Esquire,
7. L. K. Garudachar, Esquire,
8. Desada Veerabhadra Setty, Esq.,
9. D. Adappa, Esquire,
10. T. V. Ramaswami Chetty, Esq., B.A.,
11. H. Ramaiya, Esquire,
12. H. Gopalaswami Iyer, Esq.,
13. S. Venkatachala Iyengar, Esq., B.A., L.L.,
14. E. K. Krishna Murti Rao, Esq.,
15. S. Venkataranga Iyengar, Esq.,
16. Rev. D. A. Rees,
17. D. Venkataramaiya, Esq., [illegible],
18. M. Uman Khan, Esquire,
19. S. K. Narasimhiah, Esq.,
20. M. Ramachandra Rao, Bindhe, [illegible]

P. Subbarama Chetty, Esq.,

A B S E N T.

1. C. Siddaveerappa, Esq.,
2. T. Subbayya, Esq., B.A.,
3. S. Ramachandraswami, Esq., [illegible]
4. J. M. Chandraprium Pillay, Esq.

M. Abbas Khan, Esquire.

---

(2). Chief Secretary's Letter No.G.26320-1 Legis.44-17-10 dated 23rd May '19, callinf for the opinion of the Council, re forming Division and Mohalla Committees in view to decentralisation of Municipal Powers and duties.

Resolution:- The Council are not in favour of the proposal. (Voting 17 for 1 against and 3 neutral.)

(Sd). K.P. Puttanna Chetty, Es
Honorary President.

" C o p y ".

For Honorary President.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section Legs
File No. 44-17
Serial No. 1 2

GENERAL AND REVENUE SECRETARIAT,
( )
, the 191 .

No. Pol 12 Enel 1

Date of issue 3rd July 1920 To

Signed by Mr C S B Iyengar Sir,

The F. A. Resident—

I am directed to forward herewith a copy of the Bill to amend the Mysore Municipal Regn. 1906 together with a Statement of objects & reasons which fully explains the scope of the Bill

The Bill will be placed

over.

Chief Secretary
19 JUL 1920

Pol 96

R. O. 2.—R. P. B.—2-1920.—5000.

No. 6114

Legn

19/7/20

DIARY No. 1111

FROM

MAJOR C. T. C. PLOWDEN, I. A.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

Legn
FILE NO. 44-17
14

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Pol 2077

Legn 2077

21 JUL 1920

Dated Bangalore, 19th July 1920

SIR,

With reference to your letter No. Pol.12, dated the 3rd July 1920, forwarding a copy of a Bill further to amend the Mysore Municipal Regulation No.VII of 1906, I am directed to state that the Hon'ble the Resident sees no prima facie objection to the Bill being laid before the Legislative Council as proposed.

2. The matter requires a reference to the Government of India, consequently a further communication will be awaited from the Durbar.

I have the honour to be,
Sir,
Your most obedient servant,

FIRST ASSISTANT RESIDENT.

BJ

Office of the Second member
of Council, Bangalore

Dated 10th Nov. 1920

To Rajaseva dhurina
Sirdar M. Kantaraj Urs, B.A., C.S.I.
Dewan of Mysore.

SIR,

I beg to request your sanction in writing under Section 12 of Regulation I of 1907, for introducing a bill....further to amend the Mysore Municipal Regulation, 1906.....

.....

at a meeting of the Mysore Legislative Council.

I have the honor to be,
Sir,
Your most obedient servant,

P Raghavendra Rao
Member.
10. 11. 20

OFFICE OF THE DEWAN OF MYSORE.

Dated Nov 1920

Mr. P. Raghavendra Rao, B.A., B.L Member of the Mysore Legislative Council, is hereby permitted to introduce a bill further to amend the Mysore Municipal Regulation, 1906

.....

.....

.....at a meeting of the said Council, subject to the rules for the time being in force under the Mysore Legislative Council Regulation, No. I of 1907.

17.11.20

Dewan of Mysore.

G. R. S. VI—s-III/18]

DRAFT

SUBJECT .....

....

Section
File No.
Serial No.

No. 223
L C

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....*191*

Date of issue 26-11-20

Signed by Sri. P. Venkatadevaya

NOTIFICATION.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Mysore Municipal Regn., 1906 is published for general information with the statement of objects and reasons.

By Order,

Secretary, Mysore Legislative Council.

(Here print the accompanying Bill with the statement of objects and reasons).

To

The Compiler, *Mysore Gazette* for publication in Part III of the Gazette in English and Kannada and for sending 100 copies in English and 25 copies in Kannada to this office. Proof should be sent to this office for approval before publication.

23/11
28(1)

A Bill further to amend the Mysore Municipal Regulation, VI of 1906.

Whereas it is expedient further to amend the Mysore Municipal Regulation, 1906; His Highness the Maharaja is pleased to enact as follows :—

Amendment of S. 15.

1. In clause (*e*) of sub-section (1) of Section 15 of the Regulation, after the words " who is a " the following words shall be inserted :—

" Councillor at the date of election or a ".

Amendment of S. 26.

2. (1) In paragraph (*a*) of sub-section (14) of Section 26 of the Regulation, for the words " ~~The Executive Engineer, Educational~~ Inspector ~~and~~ the Civil Surgeon in a district ", the words " ~~The~~ Executive Engineer, ~~Educational~~ Inspector ~~and~~ the Health Officer in a district or the District Medical Officer " shall be substituted.

(2) In paragraph (*b*) of the same sub-section for the words " Civil Surgeon ", the words " the District Medical Officer " shall be substituted.

(3) In the explanation at the end of Section 26, for the words " Civil Surgeon " the words " the ~~District~~ Medical Officer " shall be substituted.

Amendment of S. 31.

3. In Section 31, for the word " one-third " after the words " shall not exceed " the word " one-half " shall be substituted.

Amendment of S. 48.

4. (1) After sub-clause (ii) of Clause (*b*) under sub-section (1 of Section 48, the following new sub-clause shall be inserted :—

" ~~(iiA)~~ as a hotel, bakery, sweetmeat shop or otherwise for the preparation, manufacture or sale of articles intended for human food or drink."

(2) In sub-clause (iii), of Clause (*b*) under the same sub-section the following shall be inserted :—

" or for any other purpose for which the taking out of a license is or may be prescribed "

(3) Clause (*c*) under the same sub-section ~~shall be cancelled~~.

(4) In sub-section (1) of the same section the following shall be inserted between clauses (*o*) and (*p*) :—

" (oo) regulating the conditions for the disposal of houses constructed for the use of the poor."

(5) In clause (*p*) of the same sub-section, between the words " foundations " and " roofs " the word " floors " shall be inserted.

(6) At the end of the same clause after the semicolon the following words shall be added :—

" and prescribing a time limit for the ~~construction~~ of ~~new buildings or the alteration of the old~~ "

(7) After clause (*p*) the following new clause shall be added :—

" (pp) regulating the ~~construction~~ of grain shops and grain stores ~~in accordance with the provisions of Section 95A~~ ".

(8) In clause (*r*) of the same sub-section the words " and for rendering the buildings rat-proof " shall be added after the words " for securing a free circulation of air "

(9) After clause (*v*) of the same sub-section the following new clause shall be added :—

" (vv) regulating traffic in streets ".

Addition of a proviso to S. 51.

5. In Section 51 of the Regulation the following proviso shall be added after proviso (*b*) :—

" (*c*) in the case of an alienated village, the rights, if any, of the holder of such village, to the enjoyment of any tax or other item of revenue shall be regulated from time to time by the orders of the Government "

Addition of a proviso to S. 52

6. In Section 52 after the first paragraph the following additional proviso shall be inserted :—

"Provided that any funds granted to the Municipal Council by the Government for ~~economic~~ work shall be applied exclusively for such work and in accordance with such instructions as the Government may lay down, either generally or specifically in this behalf."

Amendment of S. 53 A.

7. At the end of Section 53 A, after the word "Regulation," the words "or for the purpose mentioned in clause (*bb*) of Section 56" shall be added.

Addition of a new clause to S. 56.

8. The following new clause shall be added after clause (*b*) under Section 56 of the Regulation:—

(bb) Constructing for the habitation of the poor suitable sanitary houses."

Addition of a new Section 91 A.

9. ~~After Section 91 and under the heading "(2) powers to regulate buildings, etc.,"~~ the following new section shall be inserted as Section 91 A, namely:—

Resumption of site not built upon, within the prescribed time.

"91 A. (1) Where the term prescribed or extended, as the case may be, under any bye-law framed by a Municipal Council in this behalf for the construction of a building on a vacant land has elapsed, and no substantial progress has been made in the construction of the building, according to the approved plan by the grantee, purchaser or transferee of the site it shall be competent for the Municipal Council to resume the site with any building existing thereon after giving the owner of the land, or if the owner cannot be found or ascertained, the person in possession, such notice as the Municipal Council may fix in this behalf, and to dispose of the same by public auction or otherwise for building purposes, after publication of a notice to that effect in the official Gazette not less than three months prior to the date fixed for the sale. On such resumption the land together with the building, if any, thereon, shall vest in the Municipal Council free of all encumbrances (excepting those if any, in favour of Government) created by the owner or any person claimimg from him, subject, however, to the proviso that such owner or person claiming from him, shall be entitled to payment from the Municipal Funds of the amount realised by the Municipal Council from the disposal, less any charges incurred for such disposal and resumption.

Provided that where the vacant land had been alienated by the Municipal Council prior to 1st January 1921, the Municipal Council shall not take action under this section unless three years shall have elapsed from the date fixed for the completion of the building.

Provided also that where a vacant land is not in possession of any one and the Municipal Council is satisfied after enquiry that the owner cannot be found, the notice to the owner or the person in possession may be dispensed with.

By Municipal Councils specially authorised.

(2) The powers conferred under sub-section (1) shall be, exercised only by such Municipal Councils as may be specially authorised by Government in this behalf.

Sale of vacant land on which taxes have not been paid for six years.

(3) Where no taxes have been paid on a vacant land for a period of six years, and the Municipal Council is satisfied after enquiry that the owner cannot be found, it shall be competent to the Municipal Council to sell the land by public auction or otherwise for building purposes after publication of a notice to that effect in the official Gazette not less than three months prior to the date fixed for the sale. On such sale the land together with the building, if any, thereon shall vest in the purchaser or transferee free of all encumbrances (excepting those, if any, in favour of Government or the Municipal Council) created by the owner subject, however, to the proviso that such owner or person claiming from him shall be entitled to payment from the Municipal Funds of the amount realised by the Municipal Council from the disposal less the taxes and other charges incurred for such disposal."

Addition of a new Section, 95 A.

10. After Section 95 the following new section shall be added :—

Rat-proof building for grain shop or grain store.

95A. The Municipal Council may require that any building, used as a grain shop or grain store or proposed to be constructed for such purpose, shall be reconstructed, altered or erected, as the case may be, so as to ~~prevent the infestation of rats in or about~~ such building rat-proof.

and may for this purpose prescribe the plan and design to be adopted and the nature and quality of the materials to be used for such building.

Provided that the provisions of this section shall be enforceable only in such areas as may be notified by the Government in the official Gazette from time to time."

11. After Section 137 the following new section shall be inserted as Section 137-A :— Addition of a new Section 137 A.

"137-A. (1) No person shall newly establish in any premises any factory, workshop or work-place in which it is intended that steam, water, electrical or other mechanical power shall be employed, without the previous written permission of the President. Factories in crowded localities.

(2) The President may refuse to give such permission, if he be of opinion that the establishment of such factory, workshop or work-place in the proposed position is objectionable by reason of the density of the population in the neighbourhood thereof, or will be a nuisance to the inhabitants of the neighbourhood or in any other manner, contravenes the terms of any bye-laws framed in this behalf."

12. After Section 138 the following new section shall be inserted :— Addition of a new Section 138 A.

"138-A. (1) No person shall without a license granted by the President use or employ in any factory or any other place, any siren, whistle or trumpet operated by steam, mechanical power or electricity for the purpose of summoning or dismissing workmen or persons employed. Use of siren or whistle for summoning or dismissing workmen.

Whoever uses or employes any such siren, whistle or trumpet as aforesaid without a license or in contravention of any of the conditions of such license shall be punished with fine which may extend to fifty rupees."

13. After Section 165 of the Regulation the following new section shall be added as Section 165-A :— Addition of a new Section 165 A.

"165 A. (1) The Government may empower any Municipal Council, or its President, Vice-President or Chief Officer to accept from any person, against whom, a reasonable suspicion exists that he has committed an offence against this Regulation or any rule or bye-law thereunder, a sum of money by way of composition for such offence Power to compound offences.

Provided that no offence which falls under any provisions of the Indian Penal Code shall be compounded otherwise than in accordance with the provisions of Section 345 of the Code of Criminal Procedure.

(2) On payment of such sum of money such person, if in custody shall be discharged and no further proceedings shall be taken against him in regard to the offence or alleged offence so compounded.

(3) Sums paid by way of composition under this section shall be credited to the Municipal Fund.

(4) The power under sub-section (1) to compound offences may be given whether generally under this Regulation and the rules and bye-laws thereunder, or particularly in regard only to individual offences of a specified class and may at any time be withdrawn by the Government.

(5) Any sum of money accepted as composition under sub-section (1) shall not exceed the amount of fine fixed for the offence in the Regulation or in any rule or bye-law thereunder or rupees fifty, whichever is less.

(6) The Government may make rules to regulate the proceedings of persons empowered to compound offences under this section.

14. In Section 180-A of the Regulation, the words "and the Sringeri Municipal Council" shall be added after the words "City Municipal Council." Amendment of Section 180-A.

STATEMENT OF OBJECTS AND REASONS.

The present Regulation, having been found from experience to be defective, a number of suggestions have been received for amending the Regulation. The Bill has accordingly been prepared. The notes on clauses attached to this explain the scope and object of these amendments.

NOTES ON CLAUSES.

Clause 1.—This is intended to disqualify persons who are already Municipal Councillors from standing for election to the Council without resigning their seats on the Council.

Clause 2.—This makes only a change in the nomenclature so as to be in conformity with the current designation of the District Sanitary officers.

Clause 3.—Under the provisions of Section 31 the number of persons not being Councillors who can be appointed on any Committee should not exceed one-third the number on such Committee. This proportion is proposed to be increased to one half so as to provide for a larger association in Municipal Administration (especially in connection with economic work) of earnest and enthusiastic workers outside the Municipal Council.

Clause 4.—*Sub-clauses* (1), (2) *and* (3).—These sub-clauses are intended to provide for greater control over hotel-keepers, bakers, etc., in the interests of public health by providing for the framing of bye-laws to regulate the grant of licenses for the establishment of hotels, etc. Provision is also made generally for the regulation of the grant of licenses by the framing of bye-laws.

Sub-clause (4) *of clause* 4 *and clauses* 7 *and* 8.—Provision is made in these sub-clauses for enabling Municipal Councils to make proper arrangements for housing the poor.

Sub-clauses (5), (7) *and* (8) *of clause* 4 *and clause* 10.—Provision is made to enable Municipal Councils to frame bye-laws for insisting on the construction of rat-proof houses and shops as a safe-guard against plague infection in affected areas.

Sub-clause (9) *of clause* 4.—This is intended to enable Municipal Councils to frame bye-laws for prohibiting double riding on bicycles and such other acts as are prejudicial to public safety.

Clause 5.—This clause is intended to regulate the rights of holders of alienated villages over taxes or other items of revenue accruing within the respective areas which may be constituted into Municipalities.

Clause 6.—This is intended to ensure the expenditure of the sum allotted for economic work in Municipal areas exclusively for that purpose.

Clause 9.—It is reported that there are many building sites in the cities of Bangalore and Mysore and in other Municipal towns which have been allowed by the owners to remain vacant for a number of years. Some of these seem to have been purchased more for speculation than for purposes of building. It is necessary to put down this evil of leaving vacant sites in an uncared for and insanitary condition in the midst of well laid out extensions. It is now proposed to provide for resumption of the vacant land, if no building is constructed within the prescribed or extended time, as the case may be, sufficient notice being given of the same to the owner or occupier.

Clause 11.—The new Section 137-A is intended to regulate the establishment of flour and oil mills and factories worked by electric or other mechanical power by the side of dwelling houses and crowded localities, especially in proximity to hosptials, etc., so as to put a stop to the considerable nuisance that factories are causing to the neighbourhood.

Clause 12.—Frequent complaints have been made by the residents of Bangalore that the sirens used by the mills disturb many households in the early morning. Provision is made in the new Section 138-A for controlling the use or employment of sirens.

Clause 13.—It is considered necessary to empower Municipal Councils to compound offences against the Municipal Regulation, and the rules and bye-laws framed thereunder, in view especially of the trivial nature of many of the offences which cause unnecessary trouble to the Municipality and undesirable annoyance to innocent and perhaps ignorant offenders by the judicial proceedings taken in such cases at present.

Notification No. 224—*L. C., dated* 27*th November* 1920.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to prevent the adulteration of Food Stuffs, is published for general information with the statement of objects and reasons.

By Order,

P. MAHADEVAYYA,

Secy., Mysore Legis. Council.

The Mysore Prevention of Adulteration Bill.

WHEREAS it is expedient, in the interests of the public health, to prevent the adulteration of food; His Highness the Maharaja is pleased to enact as follows :— Preamble.

1. (1) This Regulation may be called the Mysore Prevention of Adulteration Regulation 192 Short title and extent.

(2) This section extends to the whole of Mysore; the rest of the Regulation shall extend only to such local areas as the Government may by notification in the Official Gazette direct, and in respect either of all food or such as the Government may specify in the notification; and, if the Government so direct, only for the duration of any market, fair or festival or other large assembly of people.

Provided that such notification shall be made only after the local authority or authorities concerned have had an opportunity of expressing an opinion as to the necessity for such extension.

2. In this Regulation unless there is something repugnant in the subject or context : Interpretation clause.

'food' includes every article (other than drugs or water) used by man for food or drink, and all material used or admixed in the composition or preparation of such article and shall also include flavouring matter and condiments;

'butter' and 'cheese' mean respectively butter and cheese made exclusively from milk or cream or both with or without the addition of salt or other innocuous preservative, or of innocuous colouring matter;

'ghee' means ghee prepared exclusively from butter made from cow's or buffalo's milk or cream or both;

'prescribed' means prescribed by rules made under this Regulation;

'public analyst' means any person appointed by or with the approval of the Government to exercise the powers of a public analyst under this Regulation;

'local executive officer' means, in any municipality the President or Chairman of the Municipal Council; and in or for other local areas, the President of the Taluk Board, or if there is no Taluk Board the President of the District Board, or if there is no Taluk or District Board, such public servant as may be designated by the Government for the exercise of the functions of a local executive officer under this Regulation.

Delegation of powers of local executive officers.

3. (1) The local executive officer may delegate his powers and duties under this Regulation to such persons and in such manner as may be prescribed.

(2) Every person to whom powers have been delegated under this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Appointment of analyst.

4. (1) The local authority having control over any local area to which any provisions of this Regulation may be extended may, subject to the approval of Government, appoint a public analyst for such area.

(2) When no public analyst has been appointed under sub-section (1), the Government may appoint one for any one or more areas to which they have extended the provisions of this Regulation, and if local authorities have been constituted for such areas, may require such authorities to defray the whole or in part and in such proportions as the Government may determine, the expenses of and connected with the appointment of the analyst and of executing this Regulation.

(3) For the enforcement of a requisition made under sub-section (2) the Government shall have all such powers of control over every local authority as are given to them in respect of any similar matter by the Regulation under which such local authority is established.

Offences and exceptions.

5. (1) Every person who

(*a*) sells any food which is not of the nature, substance or quality of the article demanded by the purchaser; or

(*b*) manufactures for sale, or offers for sale or hawks about or sells any food which is not of the nature, substance or quality which it purports, or is represented to be; or

(*c*) abstracts from any food any part of it so as to affect injuriously the nature, substance or quality thereof with intent that it should be sold in its altered state without notice of the alteration, or sells any article so altered without making disclosure of the alteration; or

(*d*) sells milk, cream, butter, ghee or cheese which is not up to the standard of purity prescribed by Government;

shall be punished for the first offence with fine which may extend to one hundred rupees and for every subsequent offence with fine which may extend to five hundred rupees.

Provided that in the following cases no offence under this section shall be deemed to have been committed

(*i*) where any innocuous material has been used or admixed in the composition or preparation of the food to render the same fit for carriage or consumption and not fraudulently to increase the bulk, weight or measure of the food or to conceal or debase the quality thereof; or

(*ii*) where in the process of production, collection, preparation or conveyance of the food some extraneous material has unavoidably been admixed therewith; or

(*iii*) where any innocuous material has been added or admixed or the article of the food sold is not up to the standard of purity prescribed by Government and before the sale the vendor has clearly brought the fact to the notice of the purchaser either by means of a label on or with the food or in such other manner as the Government may by rule framed under section 20 of this Regulation, prescribe; or

(*iv*) where the food is the subject of a patent in force and is supplied in the state required by the specification thereof.

(2) In every prosecution for an offence against this section, the court may presume that any food found in the possession of a person, who is in the habit of manufacturing like articles of food, has been manufactured for sale.

Presumptions to be made and pleas to be disallowed or allowed.

6. (1) In every prosecution for an offence against the last preceding section, it shall be no defence to allege merely that the vendor was ignorant of the nature, substance or quality of the food sold by him or that the purchaser having bought only for analysis was not prejudiced by the sale.

Provided that the vendor shall not be deemed to have committed an offence under section 5, if he proves that the food was purchased by him as the same in nature, substance and quality as that demanded by the purchaser and with a written warranty to the effect that it was of such nature, substance and quality, that he had no reason to believe at the time when he sold the same that the food was not of such nature, substance or quality, and that he sold it in the same state as that in which he purchased it.

(2) Where an employer is charged with an offence under this Regulation, he shall be entitled on application duly made by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for the hearing, and if, after the commission of the offence has been proved, the employer proves to the satisfaction of the court that he used due deligence to enforce the execution of this Regulation and that the said other person committed the offence without his knowledge, consent or connivance, the said other person shall be convicted and the employer shall be acquitted.

Powers of local executive officers for purposes of inspection.

7. (1) The local executive officer may without notice enter any place where articles of food are being manufactured or exposed for sale at any time by day or night when the exposure for sale or manufacture is being carried on and inspect the same and any utensil or vessel used for manufacturing, preparing or containing any such article.

(2) No claim shall lie against any local authority or any person for any damage or inconvenience necessarily caused by the exercise of powers under this section or by the use of any force necessary for effecting an entry into any place under this section.

(3) In any legal proceedings in respect of powers exercised under this section in which it is alleged that any food was not kept, exposed, hawked about, manufactured, prepared, stored, packed, or cleansed for sale, or was not intended for human food, the burden of proof shall lie on the party so alleging.

Penalty for preventing inspection.

8. Every person who shall in any manner whatsoever prevent the local executive officer or person duly authorized by him exercising his powers under the last preceding section, shall be punished, where his act does not amount to an offence under the Indian Penal Code, with a fine which may extend to fifty rupees.

Power of local executive officer to seize adulterated food, etc.

9. If any article intended for food appears to the local executive officer to be adulterated or other than what it purports or is represented to be, or if any vessel or utensil used in manufacturing, preparing or containing such article appears to violate any rule made under section 20, he may seize or carry away or secure such article, utensil or vessel, in order that the same may be dealt with as hereinafter provided.

Penalty for removing or interfering with articles seized.

10. Every person who shall remove or in any way interfere with an article secured under the last preceding section shall be punished with fine which may extend to five hundred rupees.

Sample of articles seized to be sent to the public analyst.

11. When any article of food seized under section 9 appears to the local executive officer to be adulterated or other than what it purports or is represented to be, he shall forthwith send a sample of such article to the public analyst.

Production of articles, etc., seized before magistrate and powers of magistrate to deal with them.

12. (1) Articles of food or samples thereof, utensils, or vessels seized under section 9, shall, as soon as possible, be produced before a magistrate ;

Provided that where a sample of an article has been sent to the public analyst the article or sample thereof may be produced before the magistrate after receipt of the public analyst's certificate.

(2) Whether or not complaint is laid before the magistrate of any offence under the Indian Penal Code or under this Regulation, if it appears to the magistrate on taking such evidence as he thinks necessary that any such article is adulterated or other than what it purports or is represented to be, or any such utensil or vessel is of such kind or in such state as is described in section 9 he may order the same

(*a*) to be forfeited to the local authority, or

(*b*) to be destroyed at the charge of the owner or person in whose possession it was at the time of seizure in such manner as to prevent the same being again exposed or hawked about for sale or used for human food or for the manufacture or preparation of or for containing any such article as aforesaid.

Purchaser may have food analysed.

13. (1) Any purchaser of any article of food shall be entitled, if a public analyst has been appointed for the area within which such article is purchased, on payment of such fees as may be prescribed by the authority appointing the analyst, to have such article analysed by such public analyst and to receive from him a certificate of the result of his analysis.

(2) Before submitting such article to be analysed as aforesaid the purchaser shall notify to the seller his intention to have it so analysed ; and the public analyst on receiving such article for analysis shall devide it into three parts, of which one is to be analysed, another to be retained by him in order to be returned with his certificate and the third to be delivered on demand to the seller ; provided that each part other than the part analysed, shall be marked and sealed or fastened up in such manner as its nature permits.

Pow er of ocalo executive fficer to purchase samples for analysis

14. (1) The local executive officer may purchase a sample of any article of food from any person exposing such article for sale or from any person who is in the course of delivering or preparing to deliver it to a purchaser or consignee, and may submit it to be analysed by the public analyst appointed for the area within which such sample has been procured.

(2) Every such person who refuses to sell such sample to the local executive officer or any person duly authorized by him at the price at which he usually sells the article shall be punished with fine which may extend to Rs. 100.

Procedure when article s purchased for analysis.

15. (1) When the local executive officer or any other person purchases a sample of food with the intention of submitting it to be analysed by the public analyst, he shall notify to the person from whom he has purchased the article his intention to have it analysed and shall divide it in three parts to be then and there separated and each part to be marked and sealed or fastened up in such manner as its nature permits and shall deliver one of the said parts to the seller and retain another of the parts for production in case proceedings are taken and submit the third part, if he deems it right to have the articles analysed, to the public analyst.

(2) If the seller declines to accept one of the parts, the public analyst receiving a sample for analysis shall divide it into two parts and shall seal or fasten up one of those parts and shall cause it, either upon receipt of the sample or when he delivers his certificate, to be delivered to the purchaser or to the local executive officer who shall retain it for production in case proceedings are taken.

Public analyst's certificate.

16. (1) Every public analyst to whom a sample has been submitted under this Regulation shall deliver to the person so submitting it a certificate in the form prescribed in the schedule to this Regulation, or to the like effect, specifying the result of his analysis.

(2) Any document purporting to be such certificate signed by a public analyst may be used as evidence of the facts stated therein in any proceedings under this Regulation or under sections 272 to 276 of the Indian Penal Code.

Provided that any court before which a case under this Regulation may be pending, whether exercising original, appellate or revisional jurisdiction, may in its discretion, at the request either of the accused or of the complainant, cause any article of food to be sent for analysis to the Chemical Examiner to Government or to any public analyst designated for the purpose by Government, who shall thereupon analyse the same and report the result of such analysis to the said court: and the expense of such analysis shall be paid by the accused or the complainant, as the court may by order direct.

Jurisdiction of magistrates.

17. Third class magistrates shall not try any offence under this Regulation unless they have been generally or specially empowered in this behalf by Government.

Institution of proceedings in courts.

18. No prosecution under this Regulation shall be instituted except on the complaint of the purchaser or with the consent in writing of the local executive officer.

No proceedings to be instituted more than three months after the offence.

19. No prosecution under this Regulation shall be commenced after the expiry of three months after the commission of the offence.

Power of Government to make rules.

20. Government may, after previous publication, make rules consistent with this Regulation for the whole or any part of the area to which this Regulation may have been extended—

(*a*) prescribing the classes or qualifications of persons to whom and the conditions on which the local executive officer may under section 3 delegate his powers;

(*b*) determining the limits within which the local executive officer may exercise his powers whether such limits are within or without the local area in respect of which he holds any public office;

(*c*) prescribing in the interests of the public health the state in which utensils and vessels used for manufacturing, preparing, or containing any food intended for sale shall be kept, and prohibiting the use of utensils and vessels made, in whole or in part, of materials likely to injure such food;

(*d*) prescribing the manner in which notice of any addition, admixture or deficiency shall be given to the purchaser of any article of food;

(*e*) prescribing standards of purity for milk, cream, butter, ghee and cheese, and determining what deficiency in any of the normal constituents of these articles or what addition of any extraneous matter or proportion of water in any of the same or any preparation of the same shall for the purposes of this Regulation raise a presumption until the contrary is proved that the milk, cream, butter, ghee or cheese is not genuine, or is injurious to health;

And providing for fines not exceeding rupees one hundred in the case of a first offence and rupees five hundred for every subsequent offence by way of penalty for breach of rules made under clauses (*c*) and (*d*).

Power of local authorities to make bye-laws.

21. Every local authority exercising control over any local area to which this Regulation has been extended may, under the provisions respecting the making of bye-laws of the Regulation under which such local authority is established, make bye-laws not inconsistent with this Regulation or rules made under the last preceding section for all the purposes of this Regulation and in particular, without prejudice to the generality of the power hereby given, for the prevention of the manu-

facture or preparation for sale, the exposure for sale, or hawking about, or the sale of articles of food, which are adulterated or other than what they purport or are represented to be and the inspection and the regulation of places in which such articles are kept, stored, packed, cleansed, manufactured, prepared or exposed for sale, hawked about or sold.

22. The provisions of sections 2 to 21 of this Regulation shall be read as supplemental to the Regulation under which the local authority concerned is constituted.

SCHEDULE.

Form of Certificate.

Here insert the name of the person submitting the article for analysis.

To*

I, the undersigned, public analyst for the , do hereby certify that I received on the day of 19 from a sample of for analysis (which, then weighed) and have analysed the same and declare the result of my analysis to be as follows:—

Here insert, the name of the person delivering the sample. If the sample is received by post or by railway, entry should be made accordingly.

When the article cannot be conveniently weighed, this passage may be erased or the blank may be left unfilled.

I am of opinion that the same is a sample of genuine or

I am of opinion that the said sample contained the parts as under, or the percentages of foreign ingredients as under:—

Here the analyst may insert at his discretion his opinion as to whether the mixture (if any) was for the purpose of rendering the article potable or palatable, or of preserving it, or of, improving the appearance, or was unavoidable, and may state whether in excess of what is ordinary or otherwise, and whether the ingredients or materials mixed are or are not injurious to health.

§ Observations.

Signed this day of 19

A.B.

at

In the case of a certificate regarding milk, butter, ghee or any article liable to decomposition, the analyst shall specially report whether any change had taken place in the constitution of the article that would interfere with the analysis.

STATEMENT OF OBJECTS AND REASONS.

The question of legislating for the prevention of adulteration of milk was mooted in the Representative Assembly in October 1917.

The evil arising from adulteration of milk and also of other food stuffs like ghee, oil, etc., is growing especially in large towns and cities and in view of the strong popular opinion in favour of legislation to check adulteration, Government consider that the time has come to take action for the prevention of adulteration of all food stuffs. This Bill has accordingly been drafted on the lines of the Madras Prevention of Adulteration Act, 1918. Power is reserved to apply the provisions of the Bill in large Municipalities and other areas where adequate facilities exist for the appointment of public analysts and constant inspection of places where food stuffs are manufactured or sold.

Notification No. 223—*L. C., dated* 26*th November* 1920.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Mysore Municipal Regulation, 1906 is published for general information with the statement of objects and reasons.

By Order,

P. MAHADEVAYYA,

Secy. to Govt., Mysore Legis. Council.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to——————

General and Revenue Secretariat.

( )

, *the* 191 .

Date of issue 17/5/21

Signed by—Dr. P. Subbaroyan

Section .

File No.

Serial No.

No. 554/21-E.

Rajà Sabhabhushan
Diwan Bahadur
Dr. P. Subbarayachetty
C. I.

Dear Sir,

I am directed to request you to kindly make it convenient to be present at the meeting of the Select Committee to consider

over.

the Bill further to amend
Mysore Municipal Regn., 1906,
to be held in the Chambers
of the Hon. first
Member of Council
in the Public Offices
Buildings, Bangalore
at 3 p.m. on Thursday
the 23rd inst.

The favour of a line in reply is requested

Yours sincerely

List of enclosures.

Copied by

Examined by

G. R. S. VI—S-III/3]

DRAFT.

SUBJECT .....

.....

.....

Section.
File No.
Serial No.

Diary No. of letter replied to... .....

No. 542-546 / I-C

OFFICIAL MEMORANDUM.

GENERAL AND REVENUE SECRETARIAT,

( )

, the.....191

To

*

.....

Member, Mysore Legislative Council.

Date of issue 20-4-91

Signed by Mr. P. M

A meeting of the select Committee to consider the bill further to amend the Mysore Municipal Regn., 1906 .....

will be held in the Chamber of The Second member of Council in the Public Offices Buildings, Bangalore at 3 p.m. on Monday the 23rd May 1921.

By Order,

P. M. 15/4

Secretary, Mysore Legislative Council.

*

1) X. Matthan, Esq., B.A.
2) C. S. Doraswamy Iyer, Esq., B.A., B.L.
3) M. Ramachandra Rao, Esq., B.A., B.L.
4) Rao Bahadur M. C. Ranga Iyengar, B.A.
5) M. Subbiah, Esq., B.A.

Sd copy to each section
Date 14/4/21 copy to P. A. to Dy member

DRAFT REPORT OF THE SELECT COMMITTEE APPOINTED TO CONSIDER THE BILL FURTHER TO AMEND THE MYSORE MUNICIPAL REGULATION, 1906.

*****

We, the undersigned members of the Select Committee to which the Bill further to amend the Mysore Municipal Regulation, 1906, was referred, have the honor to submit the following report :-

Clause I. In connection with this clause we have considered the communication of Mr. B.Sreenivasa Iyengar of Anekal who has suggested that the clause as it stands at present may give rise to the possibility of there being no council on the date of a general election. To make it clear we recommend that the clause may be worded on the lines of Section 50 (1), (v) of the Madras District Municipalities Act, 1920 as follows :-

"Who is already a Councillor whose term of office as such will not expire before his fresh election or appointment can take effect" and that it may go as a separate sub clause of Sub-Section (i) of Section 15.

Clause 2. We consider that instead of making amendments in paragraphs (a) and (b) and in the explanation, it will serve the purpose if, in the explanation the words "or sanitary" be inserted after the word "Medical".

Clause 4. Sub clauses (1) and (2).

We recommend that the new sub-clause (iiA) may be made sub cl-ause (iii), the present sub clause (iii) being renumbered as sub clause (iv). The additional words proposed in sub claus (2) may go in, as sub clause (v) of clause (b).

Sub clause (3)- In the place of the deleted clause (c) we recommend that the following clause be substituted with a view to provide for the framing of bye laws in respect of grant of licenses for the establishment of - factories and use of sirens under claus 11 and 12 of the Bill-

"(c) prescribing the conditions and the circumstances in which on, or subject to which, and the areas or localities in respect of, which - licenses may be granted, refused, suspended or withdrawn for the establishment in any premises, of any factory, workshop or work-place in which it is intended that steam, water, electrical or other mechanical power shall be employed, or for the use of whistles and trumpets, operated by steam, mechanical means or electricity in factories or other places for the purposes of - summoning or dismissing the workmen or persons employed."

Sub clause (4) We consider that provision should also be made for framing byelaws for the construction and use as well as disposal of houses for the poor. We therefore suggest that clause (oo) may be amended as follows :-

"(oo) regulating the conditions for the construction, use and disposal of houses intended for the poor".

Sub clause (6)- We suggest that it may be altered as follows :-

"and prescribing a time limit for the erection of buildings", and it will include the construction of new and alteration of old buildings.

Sub clause (7). We consider that the word "erection" would be more appropriate than "construction", and the words " in accordance with the provisions of Section 95 A" - may be - omitted as being unnecessary.

Sub clause (8)- This is also unnecessary and may be omitted.

Sub clause (9)- We consider that it will not be to any advantage for the Municipal Councils to frame bye-laws for the prevention of double riding on bicycles and such other acts prejudicial to public safety. It seems to be more appropriate and convenient to take power in that respect under the Police Regulation. We therefore recommend that this sub clause be omitted.

Clause 5. We consider that Section 51, is not the appropriate place for making this provision. Further we think that such a provision as this is not called for, as it is a matter for a agreement between Government and the holder of an alienated village and any municipality constituted in such an alienated village may be excepted from

the operation of this Regulation under Section 187.

Clause 6. We are of opinion that the following words may be substituted with advantage for the words "economic work" occurring in line 2 of this clause :-

"any specific work or purpose".

The words "or purpose" may also be added after the word "work" in line 3.

Clause 7. We consider that this amendment is unnecessary as there are already sufficient powers under Section 53 A, for ~~of~~ borrowing for the purposes contemplated in clause (bb) of Section 56.

Clause 8. It will not be sufficient if power is taken only for constructing houses. It is necessary that they ought to be maintained properly till they are disposed of. We therefore propose that the clause be amended as follows :-

"(bb) Constructing and maintaining where necessary, suitable sanitary houses for the habitation of the poor".

Clause 9. We consider that this new section providing for power to resume sites not built upon ought to come after the provisions regarding power to ~~xxgnx~~ regulate buildings. The section will have to go in before sub heading 3 in Chapter IX as section 98A, under a new sub heading "(2A) Power to resume sites etc.,"

We consider that in sub ~~clause~~ section (i) of the Section, provision should be made so that the encumbrances created before the passing of this Regulation

should not be affected by the sale of the land resumed without, however, any right to ~~property~~ priority. We accordingly propose that the second sentence of paragraph 1 of sub section (1) of section 98A be amended as follows :---

"On such resumption the land together with the buildings, if any, the on shall vest in the Municipal Council free of all encumbrances (excepting those, if any, in favour of Government and those created before the passing of this Regulation, the latter not having any priority over Government ar Municipal claims) created by the owner or any person claiming from him subject however, to the proviso that such owner or person claiming from him, or the mortgagee. as the case may be, ~~or the~~ shall be entitled to payment from the municipal funds of the amount realised by the municipal council from the disposal, less any charges incurred for such disposal and resumption."

In ~~clause~~ paragraph (2) of sub section (1) we propose that for the words "1st ~~Ja~~ January 1921" the words "the date of the passing of this Regulation" be substituted, and the words "after the passing of this Regulation" be added between the words "fixed" and "for" in the same paragraph.

We consider that provision should be made for prescribing conditions of resumption and disposal of sites in order that the exercise of the powers may not cause any hardship in individual

cases. We therefore suggest the addition of the following words after the word "Government" at the end of sub section (2) of section 98A:--

" subject to such conditions as may be prescribed by Government in this behalf".

Clause 10. We propose certain verbal alterations in this clause. As amended it will be as follows :-

"195 A. The Municipal Council may require that any building used or intended to be used, as a grain shop or grain store shall be erected so as to render such building rat proof and may for this purpose prescribe the plan and the design to be adopted and the materials to be used for such building.

Provided that the provisions of this section shall be enforceable only within such areas as may be notified by the Municipal Council from time to time, with the previous approval of Government".

Clause 11. We consider that the proper place for bringing in this new section is under the heading of "Nuisances from certain trades and occupations" in Chapter IX and we accordingly suggest that this new section may go in as section 151 A, after section 151.

Mr. B.V. Ramaswamy Chetty raised at the last meeting of the Legislative Council, a contention that the power to grant licenses under clauses 11 and 12 should be vested in the Municipal

Council and not in the President. We ag agree with Mr. Ramaswamy Chetty in this respect and suggest that the words "Muni --cipal Council" be substituted wherever the word "President" occurs.

We consider it necessary that a penal should be attached to cases of contraven tion of the rule contained in this sec- tion, and so we propose the addition of a new clause as sub clause (3) of sectio 151 A as follows :--

"(3) Whoever establishes in any premises any factory, workshop or work- place as aforesaid without or after the refusal of such permission, or in contra- vention of the terms of any bye-laws framed in this behalf, shall be punished with fine which may extend to two hundre rupees".

Clause 12. We consider that this clause also should come under the heading of "nuisances" and the new section proposed may go in as section 151 B. We recommend that the phraseology of section 151 A of the Bombay District Municipalities Act, 1901, may be adopted as the provision is based on that section.

As altered the clause will be as follows :--

"151 B(1) No person shall use or employ in any factory, or any other place any whistle or trumpet operated by steam mechanical means or electricity for the purpose of summoning or dismissing work- men or persons employed except under and in accordance with the conditions of a

license from the Municipal Council.

(2) The Municipal Council may grant such license subject to such conditions as they may deem fit and may at any time withdraw such license on giving one month's notice to the licensee.

Provided that where the licensee has contravened any of the conditions of the license, the license may be withdrawn without any such notice.

(3) Whoever uses or employs any such whistle or trumpet as aforesaid without, or in contravention of any of the conditions of, or after the withdrawal of, such license, shall be punished with fine which may extend to fifty rupees".

Clause 13. In paragraph 2 of the section 165A, we suggest that the word "also" be inserted between the words "which" and "falls".

Clause 14. We consider that it is desirable to take powers generally under section 180 A to restrict the powers of Deputy Commissioners in respect of Municipal Councils other than City Municipal Councils ~~other than City Municipal Councils~~ so that such restriction may be applied to cases of individual municipal councils as occasion may require. We accordingly suggest the substitution of the words "or other Municipal Councils specially exempted under the special orders of Government" for the words "and the Sringeri Municipal Council", inthe said Section.

We recommend that the Bill as amend-
ed be published in the Gazette and --
passed.

13.8.4

G. R. S. VI.—S-III/9]

DRAFT.

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section.
File No.
Serial No.

No. 309
L. C. Gve 2

NOTIFICATION.

GENERAL AND REVENUE SECRETARIAT,
( )
, *the*.....191

Under Rule 40 of the Rules for the conduct of business of the Mysore Legislative Council, the following Report of the Select Committee on the Bill further to amend the Mysore Municipal Regulation, VI of 1906 is published for general information with the Bill as amended by them.

Date of issue.....4/12/22.....

Signed by.....Mr C. Afghan.....

By Order,
Cag
4/3
Secretary, Mysore Legislative Council.

To

The Compiler, *Mysore Gazette* for publication in Part III of the Gazette in English and Kannada and for supplying .....100.....spare copies in English and.....25.....copies in Kannada to this office. Proof should be sent to this office for approval before publication.

Copy to the Translation Section

29546 3894

No. Genl. 96

OFFICE OF THE CITY MUNICIPAL COUNCIL,

Bangalore City, dated 28th Jan. 1923.

29.

From

ANANDA RAO SIRSI, ESQ., B.A., LL.B.,
President, Municipal Council,
BANGALORE CITY.

30 JAN 1923

To

K. Matthan, Esq., B.A.
Chief Secretary to the Government of Mysore,
B A N G A L O R E.

Sir,

I have the honour to invite your kind attention to Government Notification No. 309 L.C, dated 4th March 1922, publishing for general information, to amend the Mysore Municipal RegulationVI. of 1906.

2. The delay in passing the amendments, is causing great inconvenience to the Municipal Council. The number of vacant sites is very large and at present in some cases the Subordinate Civil Courts have held that the Council has no power to resume them. The owners of vacant sites, do not even pay regularly the taxes due on them and there are very heavy arrears pending for several years. Until the Municipality gets legally the power to resume the sites, this vexed pro-blem will admit of no satisfactory solution.

3. At present the Municipality has no Power of compounding even ordinary offences against the Municipal Regulation. The result is the Municipal Staff has either to be engaged for months together in filing complaints and attending

Courts to the detriment of their daily important routine work or have to omit to take notice of glaring violations, of Municipal Law. If the Municipality is empowered to compound offences, it will conduce a great deal to the efficiency of Municipal Administration and the public can be gradually educated into obeying the Municipal Regulation.

4. I therefore request you to be so good as to expedite the passing of the amendments notified in March 1922.

I have the honour to be,

Sir,

Your Most Obedient Servant,

President,

City Municipal Council

E. O. 2.—R. P. B.—5—1922.—5,0

6097/P No. 4643 Enc.
391-1899.

From

A. N. L. Cater, Esq., I.C.S.,

SECRETARY to the RESIDENT in MYSORE.

Legis 44-17/16.

1597/14-6 vs

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

OFF. REV. ...
P
14 JUN 1923

Dated Bangalore, 14th June 1923.

Subject:—

A Bill further to amend the Mysore Municipal Regulation, 1906.

1576

Sir,

With reference to your letter No. Pol.1011, dated the 5th May 1923, I am directed to state that the Governor-General in Council is pleased to accord his consent to the Bill being passed into law on the understanding that he retains over it the power and authority which vest in him by virtue of Article 18 of the Treaty of 1913.

Shd. mg. in the meantime subm. pipers to Members

2. In the heading of the printed copy of the Bill sent with your letter, the reference to Regulation VI of 1906 is apparently a printing mistake for VII of 1906.

1576 cy 1576

Legis 16/16

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

Subm. The main pts here are subm. to the Chief Secy. If approved this Bill will be included in the agenda for being passed. Several amendments are suggested & it may perhaps be desirable to keep the Bill for some future meeting, and to settle the question of the amendments in the meantime

SVR.

Chief Secy

1576 from 1576 to B

cag 15/6

Legis 16/16

approved Bill may be included in the agenda for being passed. Several amendments are suggested & it may perhaps be desirable to keep the Bill for some future meeting, and to settle the question of the amendments in the meantime

Chief Secy